MAULANA SHAH AHMED NOORANI SIDDIQUI: A POLITICAL STUDY

ZAHID AHMED

DEPARTMENT OF HISTORY

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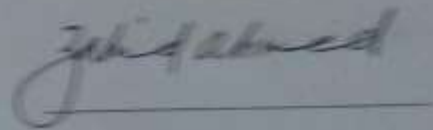
ZAHID AHMED

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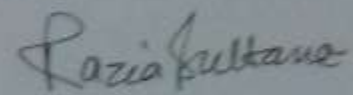
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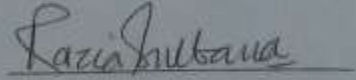
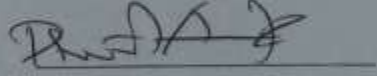
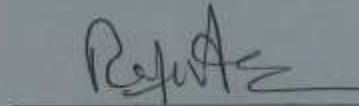
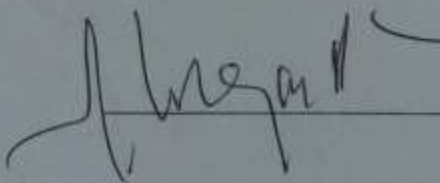
Zahid Ahmed

SUPERVISOR DECLARATION

I hereby recommend the dissertation; prepared under my supervision by Mr. Zahid Ahmed entitled "***Maulana Shah Ahmed Noorani Siddiqui: A Political Study***" in partial fulfillment of the requirement for the degree of Doctor of Philosophy.

Razia Sultana

Prof. Dr. Razia Sultana

QUAID-I-AZAM UNIVERSITY
Department of History

Final Approval

This is to certify that we have read the thesis submitted by Mr. Zahid Ahmad titled **"Maulana Shah Ahmad Noorani Siddiqui: A political Study"** as partial fulfillment for the award of Doctorate of Philosophy in the Department of History. We have evaluated the dissertation and found it up to the standards and requirements in its scope and quality for the award of PhD degree.

S.No.	Name/Designation	Signatures
1.	Prof. Dr. Razia Sultana Supervisor	
2.	Prof. Dr. Rasheed Ahmad Khan External Examiner	
3.	Prof. Dr. M. Rafique Afzal External Examiner	
4.	Prof. Dr. Sayed Wiqar Ali Shah Professor & Chairperson	

To

My Parents and Wife

يَا رَبِّ بِالْمُصْطَفٰی بَلِّغْ مَقَاصِدَنَا
وَاغْفِرْ لَنَا مَا مَضٰی يَا وَاسِعَ الْكَرَمِ

O my Lord! With the Elect One (Peace be upon him) make us attain our goals, and forgive us for what has passed, O Most Magnificent One

Imam Busari
Qasida Burda Sharif

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A major research project like this is never the work of anyone alone. The contributions of many different people, in their ways, have made this possible. At the end I once again cordially thank to all those who guided, helped and supported me to achieve my goal successfully.

ABBREVIATIONS

AIML	All India Muslim League
AJK	Azad Jammu & Kashmir
AKJMC	Azad Jammu and Kashmir Muslim Conference
AL	Awami League
ANI	Anjuman-i-Naujawanan-i-Islam
APC	All Parties Conference

ATA	Anti-Terrorism Act
CEC	Central Executive Committee
CML	Convention Muslim League
CMLA	Chief Martial Law Administrator
COAS	Chief of Army Staff
COP	Combined Opposition Parties
DPRS	Defense of Pakistan Rules
EPR	East Pakistan Rifles
FSF	Federal Security Force
IDF	Islamic Democratic Front
IF	Islamic Front
IJI	Islami Jamhori Ittehad
IJM	Islamic Jamhoori Mahaz
ISI	Inter Services Intelligence Agency
JASP	Jamaat-i- Ahl-i Sunnat Pakistan
JI	Jamat-i-Islami
JUI	Jamait-ul-Ulama-i-Islam
JUI (Darkhawsti)	Jamait-ul-Ulama-i-Islam(Darkhawsti group)
JUI-F	Jamait-ul-Ulama-i-Islam (Maulana Fazalur Rehman group)
JUI-S	Jamait-ul-Ulama-i-Islam (Maulana Sami ul Haq group)
JUP	Jamait-i Ulama-i Pakistan
KPK	Khyber Pakhtun Khaw old NWFP
KT	Khaksar Tehrik
LFO	Legal Framework Order
MDM	Mutahidda Deeni Mahaz
MJUP	Markazi Jamiaat-i- Ulama-i- Pakistan
MMA	Muthida Majlis-i- Amal
MNA	Member of the National Assembly
MPA	Members of the Provincial Assembly

MQM (Haqeqi)	Muhajir Quami Movement (Haqeqi)
MQM	Mutahida Quami Movement
MRD	Movement for the Restoration of Democracy
MYC	Milli Yekjehti Council
NAP	National Awami Party
NDP	National Democratic Party
NPP	National Peoples' Party
NWC	National Working Committee
NWFP	North West Frontier Province
PAI	Pakistan Awami Ittihad
PCO	Provisional Constitutional Order
PDP	Peoples' Democratic Party
PML (Functional)	Pakistan Muslim League (Pagaro group)
PML (J)	Pakistan Muslim League (Junejo group)
PML (N)	Pakistan Muslim League (Nawaz group)
PML(Fida)	Pakistan Muslim League (Fida group)
PNA	Pakistan National Alliance
PNP	Pakistan National Party
POWs	Prisoners of War
PPC	Pakistan Penal Code
PPP	Pakistan People's Party
PPPP	Pakistan People's Party Parliamentarian
RAW	Research and Analysis Wing, Indian External Intelligence Agency
RCO	Revival of Constitution Order SAWW
	PEACE BE UPON HIM
SBPF	Sindh- Baluch- Pushtun Front
TI	Tehrik-i-Istaqlal
UDF	United Democratic Front
WIM	World Islamic Mission

TABLE OF CONTENTS

Chapter 1
From Passive to Active Politics
1969-1971

Maulana Shah Ahmed Noorani Siddiqui, the third child of a famous religious scholar and

Sufi Maulana Shah Abdul Aleem Siddiqui (1892-1954)[1], was born in Meerut (India) on 1 April, 1926.[2] After memorizing the Holy Quran by heart at the age of just eight and completing his matriculation he got admission in *Darul Ulum-i- Islamiya Arabiyyah* Meerut. He not only completed *Dars-i- Nizami*[3] from *Darul Ulum*[4] but also got his *Fazil* degree in Arabic from Allahabad University.[5]

He had great interest in politics and was greatly impressed by the personality of Maulana Ahmed Raza Khan Barelvi[6] who was a strong advocate of the Two Nation Theory.[7] It was under this influence that Maulana Noorani along with other students of *Darul Ulum* wrote a pamphlet against the imposition of ban on cow sacrifice[8] by the congress government in 1937.[9] In the pamphlet the Islamic point of view regarding cow sacrifice and its permissibility was discussed which created law and order situation in his home city Meerut. Subsequently Maulana Noorani was arrested and put in jail[10] for three days. The insulting behavior of Hindu Police with young Maulana Noorani turned him into a strong supporter of the demand for Pakistan which was the main aim of All India Muslim League (AIML) to achieve.

He established a Muslim youth organization by the name of National Guards which used to manage and protect public gatherings of AIML.[11] Maulana Noorani took an active part in the election campaign of Liaqat Ali Khan (the General Secretary of AIML and later the first Prime Minister of Pakistan) who was contesting 1945-46 Elections for the central legislative council's seat from Muzzafar Nagar a distract of Meerut Division. Besides, Maulana Noorani strongly opposed the enforcement of *Zakat* Bill on Muslim of India in 1946 by the British Government.[12] After the creation of Pakistan in 1947 Maulana Noorani along with his father and other members of family migrated to Pakistan and settled in Karachi. He used to accompany his father on his missionary tours abroad. In fact Maulana Noorani's father was preparing him for the missionary responsibilities[13] which he under took after the death of his father.[14] Maulana Noorani actively participated in Anti- Qadiani Movement[15] and was elected Senior VicePresident of *Jamait-i Ulama-i Pakistan* (JUP- West Pakistan) in 1955.[16] During Field Marshal Ayub's era he spent most of his time in missionary activities abroad.[17]

On 25 March 1969 Field Marshal Ayub Khan stepped down as president of Pakistan and handed over the reins of power to the Chief of the Army Staff Gen. Agha Muhammad Yahya Khan who placed the country under Martial Law with immediate effect, assumed the office of the Chief Martial Law Administrator (CMLA) and announced the abrogation of 1962 Constitution, the dissolution of the National Assembly and the Provincial Assemblies.

Gen. Yahya Khan in his first ever broadcast to the nation on 26 March 1969 called for the return of sanity and conditions conducive to the constitutional government. He promised the direct elections based on the universal adult franchise that would be framed by the elected representatives of the people.

After months of violent agitation against Ayub Khan's regime, the renewal of Martial Law was greeted by most people in both provinces but in Dhaka there were street demonstrations. A common feeling was that at the very moment when East Pakistan was on the threshold of securing the acceptance of its just constitutional and economic claims, martial law was imposed in the country.

Maulana Shah Ahmad Noorani realizing the grave situation particularly in East Pakistan warned Gen. Yahya Khan about the role of M.M. Ahmed (The Vice Chairman of the Planning Commission) in deteriorating the economy of Pakistan which could result in the separation of East Pakistan.[18]

Yahya Khan, in his nationwide broadcast on 28 November 1969, announced far reaching constitutional developments. He announced the Legal Framework Order (LFO) for the restoration of a federal parliamentary system in Pakistan. The LFO included the following main

points: [19]

i. Holding of general elections on the basis of one man one vote on 5 October 1970.

ii. A National Assembly would consist of 313 members of which 169 seats were allocated to East Pakistan.

iii. The dissolution of the one unit in West Pakistan and the restoration of its separate provinces.

iv. An elected member could only resign after the Assembly had met.

v. The task of framing the constitution for the newly elected Assembly would have to be completed in 120 days else it would be dissolved.

vi. The conferment of maximum autonomy on the provinces; consistent with the maintenance of a strong federation.

vii. Under the new constitution in as a Federation Pakistan shall be so united that the independence, the territorial integrity and the national solidarity are ensured.

viii. I. Pakistan should be the Federal Republic to be known as Islamic Republic of Pakistan.

II. a. Islamic ideology, which is the basis for the creation of Pakistan would be preserved.

b. The head of the state would be a Muslim.

ix. Permission for the resumption of the unrestricted political activity from 1 January 1970.

x. Political parties contesting the forth coming elections were required to contest the elections within the limits of the LFO.

The *Markazi Jamiaat-i- Ulama-i- Pakistan* (MJUP), established in 1948 and representing *Ahl-e-Sunnat Wa Jammat*, was not only divided into different groups[20] but also was an inactive body after the downfall of Ayub Khan. Different quarters wanted to have a united party of *Ahl-iSunnat Wa*

Jammat.[21] Although, leading *Ahl-i-Sunnat Ulama* (clerics) made several attempts but could not achieve much in this regard.[22]

Maulana Abul Barakat Qadri convened a meeting of *Ahl-i-Sunnat Ulama* on 4 April 1970 at *Daral Ulum Hizbul Ahnaf* Lahore to re-organize MJUP.[23] Maulana Shah Ahmad Noorani presided over the meeting. All the groups of the MJUP, except that of Muhammad Shah Gujratti, attended the meeting. The meeting proved to be a success in bridging the differences among *Ahli-Sunnat Ulama* as all the faction leaders resigned from the offices of their parties to form a party.

To fill the vacuum created by the resignations of party presidents of different groups of the

MJUP, a twenty-five member board by the name of the *Majlis-i-Amal Jamiaat-e- Ulama-i- Pakistan* was appointed. The board was given powers to formulate party policies and a manifesto.Maulana Shah Ahmad Noorani was appointed the chairman of a six-member manifesto committee[24] while Allama Mahmood Ahmed Rizvi was appointed the convener of the *Majlis-i-Amal*. The meeting besides other things demanded the enforcement of Shariat and pledged to work against communism, capitalism and socialism.[25] The enforcement of Islamic system in Pakistan remained one of the leading demands of the MJUP. In early 1970's there were certain parties in both the wings of Pakistan propagating socialism, which became the major concern for religious parties particularly of the MJUP. They considered it to be the biggest threat to Islam.

To make their stand against socialism more emphatic and clear, a Fatwa (religious decree) was issued by 113 *Ulama* of different schools of thought in March 1970. It declared socialism "against Islam" and to vote for the parties working for socialism "unlawful under Islam".

Maulana Shah Ahmad Noorani along with other leading *Ahl-i-Sunnat Ulama* signed the *Fatwa*.

Further to counter the growing influence of socialism and the appeal of its economic system to common people, a twenty-three points program of Islamic economic system was proposed on

2 June 1970 by more than one hundred *Ulama* of both the wings of Pakistan including Maulana Shah Ahmad Noorani.[26]

In order to mobilize *Ahl-i-Sunnat Wa Jamaat* support for the enforcement of Islamic constitution and counter socialism, the *Majlis-i-Amal* of the JUP decided to organize public meetings in different parts of Pakistan. The *Majlis-i-Amal* started its masses contact campaign by holding public meetings in Multan and Lyallpur (Faisalabad)[27] culminating in the First All Pakistan Sunni Conference held at Toba Tek Singh District on 13 and 14 June 1970.[28]

The Sunni Conference was convened in response to the Socialist Kisan Conference organized by the National Awami Party's leader Maulana Abdul Hamid Khan Bhashani[29] in March 1970 at Toba Tek Singh. It also aimed at uniting *Ulama-i- Ahl-i -Sunnat* and to start JUP campaign to enforce Islamic System in the country.[30]

The conference was attended by more than 3000 *Ulama* and *Masha'ikh* (spiritual leaders) and more than 300,000 people from all over the country. Father-in-law of Maulana Noorani, a leading *Alim* and *Sufi* Maulana Fazal ur Rehman Madni[31] was specially invited from Madina-tul-

Munawara (Saudi Arabia) to attend the conference.[32]

A large delegation of *Ulama-i Ahl-i Sunnat* of Karachi and Hyderabad under the leadership of Maulana Noorani attended the conference. Other eminent *Ulama* and *Masha'ikh* included Pir of Sial Sharif, Pir of Taunsa Sharif, Pir Muhammad Qasim Mashoori, Pir Abdur Rahim of

Barchundi Sharif, Maulana Muhammad Ichhravi,Maulana Ahmed Saeed Kazmi, Maulana

Arifullah Shah, and Sahibzada Faizul Hasan Shah. The main focus of the speeches of *Ulama* and

Masha'ikh in two days conference was their strong condemnation of socialism, *'Maududiyyat'* (Interpretation of Islam by Maulana Maududi of *Jamaat-i- Islami*) and Congressite (under the influence of the Indian National Congress) *Ulama*. Maulana Fazalur Rehman Madni delivered his speech in Arabic which was translated by Maulana Noorani in Urdu. Maulana Madani in his speech declared that the faith (Iman) of Muslims was in danger due to the socialism and capitalism and in order to face the conspiracies of Hindus, Jews and Socialists, Muslims should live their lives according to the Islamic injunctions.[33]

On the second day of the conference in a special meeting of the *Majlis-i- Amal* office bearers of the JUP were elected Khawaja Qamar-ud-din Sialvi as president, Allama Muhammad Ahmad Rizvi as *Nazim-i-Ala* (General Secretary), Maulana Noorani and Pir Muhammad Karam Shah[34] as vice presidents respectively. The meeting finalized the manifesto of the JUP and also decided JUP's participation in general elections.[35]

Maulana Noorani, Maulana Faiz Ali Faizi, Sahibzada Faizal Hasan, Maulana Salimullah

Qadri, Muhammad Sharif Noorani, Maulana Muhammad Umar Ichhravi, and Pir Muhammad Qasim Mashoori addressed the last session of the conference. Maulana Noorani, in his speech appealed to *Ulama*, *Masha'ikh* and common people to work hard for the enforcement of Islamic system in Pakistan. He also strongly criticized socialism.

Some of the important demands made through different resolutions passed at the end of the conference were:

i. Socialism and communism should be declared unlawful.

ii. Ban on the parties working against Islam or the Ideology of Pakistan.

iii. Condemnation of the genocide of Indian Muslims. iv. Immediate replacement of M.M. Ahmed.

v. The government was urged to send back the American envy, Joseph Farland as he was working for regionalism.[36]

vi. Toba Tek Singh was renamed as Darussalam. [37]

The First All Pakistan Sunni Conference was proved to be a great success. *Ahl-i-Sunnat Wa*

Jamaat Movement entered into a new phase. It can be characterized as religio-political phase of *Ahl-i-Sunnat Wa Jamaat* because the JUP decided to participate as a political party in the upcoming general elections of 1970. After a very successful conference at Toba Tek Singh it was decided to organize the party at district level and to hold conferences in different cities of Pakistan for the propagation of JUP manifesto.

As mentioned earlier Maulana Noorani was appointed as the chairman of a six-member manifesto committee in the meeting of the leading *Ulama* at the *Darul-Uloom Hizbul Ahnaf*, Lahore. Later on the manifesto of the JUP formulated by the above mentioned committee was approved in a meeting of *Majlis-i-Amal* on 30 May, 1970 in Lahore.[38]

The important points of JUP manifesto were:

i. The establishment of Islamic system in Pakistan.

ii. Ban on literature containing material against Allah, His Prophets, *Sahaba* (Prophet's companions), *Ahl-i-Bait* (family of the Holy Prophet), *Khulaf-i-Rashidin* (first four caliphs of Islam), *Imams* and *Awliya* (Islamic saints).

iii. The non-believers in the finality of the Prophethood were to be declared *Kafir*(infidels) and a non-Muslim minority. A Muslim who abandons Islam and deny any of the principles of din (Islam) would be considered as a heresy.[39]

iv. All laws repugnant to Islam (The Quran and Sunnah and *Fiqah-i-Hanfi*) would be replaced.

v. Separate *Awqaf* departments for different sects.

vi. The judiciary would be independent.

vii. The civil administration would be made servant of the people.

viii. Small owners possessing up to twelve acres of land would be exempted from land revenue.

ix. Interest would be abolished and banking system would be run on partnership basis.

x. *Zakat* would be collected by force and a separate department would be established for this purpose.

xi. Establishment of *Bait-ul-Maal* and reasonable allowance for the unemployed people. xii. Nationalization of key industries. xiii. The protection of the rights of workers and peasants. xiv. Provision of medical and housing facilities for poor. xv. Equal representation of East Pakistan in the armed forces. xvi. Special attention for research in the atomic energy.

xvii. Freedom of press within the limits of national and religious interests of the country.[40]

In different meetings of leading *Ahl-i-Sunnat Wa Jamaat Ualma* held on 8 May 1970 in

Karachi and on 11 July, 1970 in Sukkur, Maulana Noorani was elected as convener of the *Majlis-i-Amal* Karachi Division and president of the six-member parliamentary board of the JUP respectively.[41] He, along with other leaders of the JUP and *Jamaat-i- Ahl-i Sunnat Pakistan* (JASP) addressed public meetings in different areas of Sindh to highlight JUP's manifesto. These leaders advised the people to vote for Sunni candidates in the upcoming election.[42]

Sindh and particularly Karachi remained the main focus of Maulana Noorani's political activities during the election campaign. He had a large following in Karachi and Hyderabad and was contesting election from one of the seats of Karachi. Maulana Noorani after being elected convener of the *Majlis-i-Amal* Karachi Division started working with other leaders of the JUP and the JASP to organize the second All Pakistan Sunni Conference. The Conference was held on 8 -9 August, 1970 at the Nishtar Park Karachi.[43]

The Second All Pakistan Sunni Conference was attended by more than 2,500 delegates from all over Pakistan. In addition, there were about 900 *Ulama* and *Masha'ikh*, including more than

700 local *Ulama*. It was a real show of strength by the JUP Karachi under the leadership of Maulana Noorani and his associates. They worked really very hard to make the conference a success because the other religious parties especially *Jamaat-i- Islami* (JI) was very active, organized and had a strong hold over the politics of Karachi.[44]

Along with Maulana Noorani other prominent speakers of the conference were Khawaja

Qamar-ud-Din Sialvi, Pir Qasim Mashoori, Mufti Muhammad Shafi Okarvi, Maulana Ghulam

Ali Okarvi, Allama Mahmud Ahmad Rizvi, Allama Mustafa Al-Azhari (President of Jamaat-iAhl-i-Sunnat Pakistan-JASP) and Maulana Saadat Ali Qadri.

Maulana Noorani, in his speech, made it clear that the Muslims of India got the country after countless sacrifices and they had to give such sacrifices to save it too. Criticizing socialism, he said that they had not faced so many hardships for coming to Pakistan to live under any other ideology but Islam.

Maulana Noorani said that *Ulama* and *Masha'ikh* came out in the field to save Pakistan as nothing had been done for the enforcement of Islam by 'political jugglers' for the last 23 years.

Maulana Noorani referring to Zulfiqar Ali (Z.A.) Bhutto (chairman of the Pakistan Peoples' Party), said that he claimed to be the leader advocating socialism in fact he was a diehard capitalist, who had beaten about the bush on the secret of Tashkand and later on stubbornly declared that he could not disclose it because he was ordered by high officials not to do so.[45] Maulana Noorani declared that how could such a leader take the seat of the prime minister who could not say truth without hesitation. He advised common people, who were under the spell of such leaders and believed that socialism was a solution to their difficulties, to avoid such fraudulent traps[46].

Though Maulana Noorani visited other areas of Pakistan for the election campaign of his party but his major focus remained on Sindh and particularly on the cities of Karachi and Hyderabad.[47] His father had a large following in these areas and was very well-known and respected personality of his time. Maulana Noorani became the heir of his father after the death of his father and remained busy in his missionary activities abroad till 1969. He emerged as the true successor of his father, in his youth he established himself as an *Alim*, *Sufi* and great orator.

People liked to listen to his speeches and wanted to talk to him because his talks were supported by arguments and logic. His command of different languages made him popular not only in the circles of *Ahl-i-Sunnat* but also with educated urban middle class. Another factor of his popularity was his strict following of Islam and his wholehearted love for Holy Prophet Muhammad (Peace be upon him).

The JUP, which was a new comer in the field of politics, took a solo flight in the elections of 1970.[48] It supported many like-minded candidates of other parties. For example it supported Air Marshal Asghar Khan (President of the Pakistan Tehreek-e Istiqlal- TI) and his close associate Musheer Ahmad Pesh Imam.[49] It was during the elections of 1970 Maulana Noorani and Air Marshal Asghar Khan come closer to each other and their association remained till the death of Maulana Noorani.

The central parliamentary board of the JUP under the chairmanship of Khwawja Qamar-udDin Sialvi allocated tickets to its candidates of National and Provincial Assemblies of Punjab and Sindh. The JUP, which started her political career seven months before contested the election of 1970 with the election symbol of 'key'[50] which was portrayed symbolically a solution of all the problems, based on the very well-recited couplet of *Sufi* poetry *Saiful Maluk* of Hazrat Mian Muhammad Baksh[51] i.e. 'key to the solution of all problems is in the hands of *Sufi*s'. Due to the heavy floods in East Pakistan in August 1970 elections were postponed for two months which were due on 5 October 1970. The elections were held on December 7 and 17th for the National and Provincial Assemblies respectively. JUP contested from three provinces NWFP, Punjab and Sindh for the National Assembly and from Punjab and Sindh for the Provincial Assemblies.[52]

Eleven parties actively took part in first general election based on the universal adult franchise for the first time in Pakistan since independence.[53] According to the election results the JUP won 7 seats of the National Assembly. It also secured 4 seats in Punjab and 7 seats in Sindh Provincial Assemblies.[54]

The overall performance of the JUP was not very impressive as it claimed to be the representative of *Sawad-i Azam* (the majority group). However, the JUP performed well in Sindh particularly in Karachi, Hyderabad and Sukkur but in Punjab its performance was disappointing.

The lack of funds, improper publicity campaign and personal jalousies of some *Ulama* and *Masha'ikh* were some of the main causes of its poor performance. In spite this, the JUP emerged as a new political force on the political scene of Pakistan and its performance was much better as compared to other political parties which were in this field for many years having funds and other backings.[55]

The elections showed that in West Pakistan Z.A. Bhutto's Pakistan Peoples' Party won 81 of 138 seats in the National Assembly, while in East Pakistan Mujibur Rehman's Awami League (AL) won 162 seats in the National Assembly. East Pakistan represented the 54% of the total of 300 seats in National Assembly and AL emerged as the largest single party in the National Assembly. Gen. Yahya Khan had been hoping that no party would emerge with the clear cut majority, thus enabling him to manipulate things in his own way. Now with the land slide victory, Mujib was in the position to form the government at the center, he could legally choose his own constitution by using simple majority.

The JUP central working committee in the first meeting after the 1970 election under the chairmanship of Khawaja Qamar-ud-Din Sialvi on 25 January1971 elected Maulana Noorani as the leader of parliamentary party and Allama Abdul Mustafa al-Azhari as deputy parliamentary leader. The working committee, after reviewing the post election scenario appointed a tenmember committee consisting of seven members of the National Assembly (MNAs), Maulana Abdul Sattar Niazi, Allama Mahmood Ahmad Rizvi and Sahibzada Faizul Hasan to discuss

constitutional issues with other parties.[56]

The JUP contested the election mainly to enforce the Islamic system in the country. Maulana

Noorani had a very clear stand on the future constitution, which was, to make it Islamic.[57] Maulana Noorani, addressing the reception hosted in honor of the JUP MNAs and Members of the Provincial Assemblies (MPAs) declared that the JUP MNAs would resign from their seats, if the future constitution was not Islamic in character.[58]

It was tragic that Bhutto was not willing to accept the role of the leader of opposition in the National Assembly, and did not wish to assume responsibility for forming provincial governments in Punjab and Sindh without control of the central government.[59] He, on 21st December, 1970, announced that any constitutional agreement which excluded him and his PPP would be doomed to failure. Under the LFO, framing of the new constitution required only a simple majority in the National Assembly. The Awami League could frame the constitution single handedly, leaving the PPP with no role to play in its framing.

On the other hand Yahya Khan and generals had not foreseen that Mujib would gain an absolute parliamentary majority in the polls. In January, 1971 Yahya Khan invited Mujibur Rehman to Islamabad for discussions but, Mujib declined to come to West Pakistan. Instead it was Yahya khan who had to go to Dhaka to meet him.[60]

On 3 January 1971 Mujib made a speech in Dhaka in which all the AL members of the national and provincial assemblies were required to take an oath that they would support the party program, provincial autonomy, interestingly the term of the oath did not actually mention the six points.[61] On the other hand Bhutto assumed the so called mantle of the leader of West Pakistan (as if he had secured a majority in all the four federation units of the wings) and a posture of confrontation with the Awami League.

Yahya Khan visited Dhaka in mid January, 1971in order to start a dialogue with Mujibur Rehman. In his meeting with Mujib, Yahya tried to persuade him to meet Bhutto who had won the majority of seats in the National Assembly from West Pakistan. Mujib refused to do so by saying that as other West Pakistani leaders had come to see him so could Bhutto. Mujib asked Yahya Khan to call the meeting of the National Assembly on 15 February, 1971 and promised that he would not ignore the interests of West Pakistan and would seek cooperation of the PPP as well as the other parties of West Pakistan.[62]

The meeting ended on a cordial note and Yahya Khan in an airport interview on his departure from Dhaka for Islamabad the next day, told journalists that he had “a very satisfactory meeting with the future Prime Minister of Pakistan, Sheikh Mujibur Rehman”. Air Martial (R) Asghar Khan explained the meeting as viewed by S.M. Ahsan (Governor of East Pakistan) as following:

> On arrival at Dhaka on 12 January 1971, Yahya told Ahsan to summon Mujib to the president's house, where Yahya was staying….Mujib arrived at the given time and was ushered in. The greetings were cordial and when he was comfortably seated, Yahya, after some pleasantries asked him to explain his Six Points. Mujib explained the salient features of the Awami League's Six Points and added that while spelling them out in detail during the National Assembly session, he would tone them down sufficiently to ensure that the idea of the unity of the country remained intact. Without going into detail, Yahya Khan expressed his satisfaction over Mujib's explanation and asked Ahsan about his opinion. Ahsan made a non-committal gesture, and Yahya Khan then moved on to the modalities of the transfer of power and the mechanics of the National Assembly session. Mujib elaborated upon a few details, and said that after the preliminaries of the first session of the Assembly, he, as the leader of the majority party, would be called upon to address the house. In his speech amongst other things, he would eulogize Yahya Khan's services to Pakistan, praise his holding of the country's first fair and impartial elections, and propose him to be the country's first president under the new constitution. When Mujib mentioned this, to his surprise Yahya stood up and said that if Mujib made such a proposition he (Yahya Khan) would 'exercise his democratic right' and decline the offer.
>
> 'Why do you want me to be the president'? Yahya asked. Mujib explained that he and his party felt that this could be the best arrangement. His two year experience as president and his position in the army could, he said, be used to advantage and he would ask and Yahya should accept the offer. Yahya did not need to be persuaded, and everything soon appeared settled.[63]

Yahya Khan, on his return from Dhaka on 17th January, flew to Larkana (home town of Bhutto) along with Gen. Hamid and Gen. Peerzada, for consultation with Bhutto. They stayed there for a few days and were entertained lavishly. Bhutto raised his concern about the implication of six points. As they stood, he thought the six points were bound to lead to secession. Bhutto's articulation of dangers arising from them to the country and to army must have a deep impression on the generals. He gave an impression to Yahya that the army was with him on this issue.[64]

This meeting between Bhutto, Yahya and his generals, particularly in the home town of Bhutto must have created suspicions in the minds of Bengali officers about Bhutto trying to deprive East Pakistan of their electoral victory. It was in these talks that it was agreed in principle that force would be used in East Pakistan, if Mujib did not change his attitude. It was further confirmed by Gen. Rao Farman Ali's statement that Gen. Umer told him that "during this meeting Bhutto (who repeatedly referred to Mujib as 'traitor') suggested to Gen. Yahya that the best way to test Mujib's patriotism was by delaying the Assembly meeting. If Mujib did not react adversely to the delay then he was a 'patriot', and if he responded wildly, then Mujib did not have interests of Pakistan at heart, and could be deemed as a 'traitor'. According to Farman Ali this idea registered with Yahya Khan".[65]

Bhutto visited Dhaka on 27th January and had discussion for several days with Mujib on Six Points. On the date of summoning the meeting of the National Assembly the two of them differed. Mujib wanted the earliest possible session of the National Assembly, not later than 15th February, Bhutto disagreed on this and wanted delay. No clear understanding or agreement had reached.[66]

Maulana Noorani as the parliamentary leader of JUP was observing all these developments carefully. On 2nd February, he supported the demands of summoning of the National Assembly on 15th February.[67] He also strongly criticized Bhutto for his involvement in some sort of a conspiracy to forge a West Pakistan front against East Pakistan.[68] To remove the misunderstanding which Bhutto was creating between East and West Pakistan regarding constitutional matters on the

invitation of Sheikh Mujibur Rehman, Maulana Noorani and his JUP delegation met him at Dhaka on 3rd February. They discussed in detail the general political situation of the country and matters relating to the future constitution.[69]

Mujibur Rehman told Maulana Noorani that the essence of Bhutto's mission was to share power with him. Bhutto had demanded deputy Prime Minister-ship among other things, and alluded to the fact that he not only represented the PPP but also the Army as well.[70]

After this meeting, Maulana Noorani told the press that the leaders of both parties had agreed that the National Assembly session should be convened at the earliest possible date and the future constitution should safeguard the integrity of Pakistan.[71]

In the press conference, the next day, Maulana Noorani supported the constitutional democratic right of the AL of framing the constitution and strongly condemned those who were at work to frustrate the process of transfer of power to the people's representatives peacefully.[72]

On 13th February, Gen. Yahya announced that the National Assembly would meet in Dhaka on 3 March, 1971. Few days later Bhutto announced that the PPP would not attend the National Assembly session unless there was an understanding between Mujib and him on the future

constitution.[73]

On 16th February Maulana Noorani who was keenly observing the political developments strongly criticized Bhutto's decision to boycott the Assembly session.[74] The next day Bhutto who was inflaming the political scenario with his provocative statements went a step further and declared that the 3rd March session of National Assembly in Dhaka would be a 'slaughter house' for West Pakistanis.[75]

To discuss the prevailing situation Gen. Yahya invited a delegation of the JUP leaders.

Maulana Noorani led the delegation of the JUP. Maulana Noorani informed Gen. Yahya that the MNAs of the JUP would participate in the Assembly session at Dhaka. He told Gen. Yahya that discussing the political matters outside the Assembly was undemocratic. He also demanded the removal of M. M. Ahmad from his office. The delegation rejected the proposed army action in East Pakistan.[76]

By this time, Bhutto took an antedated resignation from his party MNAs during meeting with them on 20- 21st February. In fact these resignations had no value as according to the LFO "resignation was not possible before Assembly had met and speaker appointed." Surprisingly, the very same day (20th February) the LFO was amended with immediate effect allowing elected members to resign before the Assembly session. It was a clear example of a collision between Bhutto and Yahya and his janta. Now, Gen. Yahya and his janta started pressurizing the West Pakistan politicians to join Bhutto in boycotting the Assembly meeting.[77]

The working committee of the JUP met in Sargodha under the chairmanship of Khawaja Sialvi on 24 February 1972. By majority votes it was decided that the MNAs of the JUP would not participate in the Assembly session on 3rd March, at Dhaka until Mujib made appropriate changes in his Six Points. However, it was Maulana Noorani who disagreed with this decision. He was of the view that the JUP must attend the Assembly session and to keep its doors open for a compromise with the AL. He thought it necessary for the unity and integrity of Pakistan that West Pakistani elected members must attend the Assembly session to show their solidarity with East Pakistani brothers.[78]

The working committee of the JUP's decision of 24th February was reviewed in the meeting of the JUP parliamentary party held on 27th February in Karachi and on the same day a delegation of the MNAs and the MPAs elected from Sindh met Gen. Yahya under the leadership of Maulana Noorani.[79]

In the meeting, Gen. Yahya informed the delegation that Z.A. Bhutto and Mujibur Rehman told him (Gen.Yahya) that they would not have any objection on his continuation as the president of Pakistan. But he would not like to be a (ceremonial) president like Varahagiri Venkata Giri (the Indian President).[80]

Maulana Noorani before the start of political discussion, informed Gen. Yahya about the anti-state activities of Qadianis and particularly East Pakistani Muslims hatred against M. M.

Ahmed and Qadianis.[81]

Maulana Noorani also mentioned the negative impact of the speeches and statement of

Bhutto which were causing the feeling of mistrust among the two wings. Similarly Maulana Noorani warned Gen. Yahya of grave consequences in case of army action in East Pakistan.[82]

On the inquiry of the delegation regarding the postponement of the National Assembly session of 3rd March Gen. Yahya replied that he had two tickets one for Rawalpindi and the other for Dhaka. If Mujibur Rehman showed flexible attitude regarding the rights of all units of Pakistan, he would go to Dhaka to inaugurate the first session of the National Assembly otherwise he would postpone the session and would go to Rawalpindi.[83]
The next day on 28th February Bhutto announced his refusal to go to Dhaka to attend the inaugural session of the National Assembly planned to be held on 3rd March. He threatened to take an action against those members of the National Assembly from West Pakistan who would attend the session of the National Assembly in Dhaka. He warned his own party's MNAs by saying, if any member of his party attended the session of the National Assembly in Dhaka, his legs would be broken. These words were ominous and set a stage for the breakup of Pakistan. On 1st March, Gen Yahya, in response to this demand, postponed the National Assembly session.[84]

An instant wave of public anger swept the whole East Pakistan, which Mujibur Rehman tried to contain through a non-violent civil disobedience movement started from 3rd March. The conclusions formed in East Pakistan regarding the postponement of the National Assembly session were:

i. The Army was determined to frustrate all the effective moves towards the democratic transfer of power and ;

ii. There was collision between Gen. Yahya and Z.A. Bhutto.[85]

When Mujibur Rehman was asked by one of the leading politician what scenarios he visualized and how the settlement could be broken. Mujeeb replied that, "the situation was very clear. Yahya Khan would come to Dhaka first, followed by M.M. Ahmed (head of the planning commission), who would be followed by Bhutto. Yahya would then order military action and that would be the end of Pakistan".[86]

The atmosphere in Dhaka was extremely charged. Mujibur Rehman gave a call for general strike which was successful and paralyzed Dhaka. Realizing the gravity of the situation, Maulana Noorani

along with two MNAs of the JUP called on Mujibur Rehman at his residence and discussed the prevailing political situation. Mujib appealed to the delegation to inform the West Pakistani brethren about the 'drawing room' conspiracies being hatched against East Pakistan.[87]

The removal of Governor of East Pakistan Admiral Ahsan and subsequent resignation of Yaqub Khan, who was appointed Governor in place of Admiral Ahsan, further complicated the matter as these two wanted to resolve the matter by negotiation. Life in the province was totally on the standstill even judges went on strike and the new Governor of West Pakistan Gen. Tikka Khan could find no one to swear him to office.

Gen. Rao Farman Ali before leaving for Islamabad met Mujibur Rehman. Recollecting his meeting with Mujib on the night of 4 March, he stated:

> On meeting Mujib I asked him can Pakistan be saved. He replied, 'why not? Of course it can be saved'. I noticed a shadow outside from a gap in the door and assumed that our conversation being eavesdropped. I pointed this out to Mujib but he rejected my suspicion, but when he looked out of the door he found Tajuddin standing there. Mujib invited Tajuddin in.…Tajuddin also answered my question by saying: 'Pakistan can be saved providing there were two separate meetings held of National Assembly. One in the East Wing, the other in the West'. I told him that this would be in reality mean two separate countries. Tajuddin replied that, 'We cannot sit under the same roof with the "Number One" killer of Bengalis'. He was referring to Bhutto. I can offer no proof of this but those days everyone in East Pakistan held a similar view. [88]

On 3rd March, after consulting with Bhutto, Gen Yahya called for a conference of the parliamentary parties' leaders in Dahaka on 10th March. Maulana Noorani, in a press statement, declined to accept this invitation.[89] The AL also refused to attend the proposed conference. It was to pressurize Gen. Yahya to announce the inaugural session. Finally, on 6th March, Gen.

Yahya announced that the inaugural session of the Assembly would take place on 25th March. The next day Mujib addressed a big rally at Dhaka Race Course, he laid down his terms for attending the National Assembly session scheduled for 25th March.

He demanded:

i. Withdrawal of martial law.
ii. An immediate transfer of power to the elected representatives of the people before the National Assembly could meet and frame the constitution.
iii. A judicial inquiry into the loss of life caused by the army action in East Pakistan.
iv. Immediate return of army to barracks. [90]

As the influence of the PPP was manifested by the postponement of the National Assembly session, leaders of small parties in both East and West became critical of the activities of Bhutto and the PPP and collectively became supportive of Mujib's position on the transfer of power.

A meeting of the smaller political parties of West Pakistan was called by Mufti Mahmood on 13th March in Lahore. The meeting was attended by Maulana Noorani of the *Jamait-i-Ulama-iPakistan*

(JUP), Maufti Mahmood of the *Jamait-ul-Ulama-i-Islam* (JUI), Mian Mumtaz Doltana and Shaukat Hayat Khan of the Convention Muslim League (CML), Professor Abdul Ghafoor of the *Jamat-i-Islami* (JI), and Maulana Zafar Ahmed Ansari and Sardar Maulana Somroo (independents). Wali Khan of the National *Awami* Party (NAP) was not present, but the conference had his backing.[91]

Everyone at this meeting accepted Mujib's four demands and called for an interim government to be established both at the center and in provinces along with the convening of the National Assembly on 25th March. In a formal press release those present declared that:

> Since the elected representatives of the people had not even had, an inaugural opportunity to meet much less to identify, discuss and thrash out issues of their common and agreed destiny, it was inappropriate to speak of the constitutional crises. In an effort to contain Bhutto's insistence on a prior agreement on constitutional principles, the group proposed that compromises insisted upon and arrived at outside the floor of the house and concealed from the scrutiny and vigilance of the people who can have no relevance to the constitutional settlement, although they may have the arrangements for sharing power. [92]

The group also indicated that in its judgment, "a great part of the present crises is due to the misunderstandings" and "urged President Yahya to proceed to Dhaka to remove any "misunderstandings, apprehensions and suspicions in frank and cordial talks with Sheikh Mujibur Rehman".[93]

The next day, PPP Chairman Bhutto came forward with a proposal for the transfer of power to the two major parties. Addressing a rally at the Nishtar Park in Karachi he said that there could not be one majority party and if power was to be transferred to the elected representatives then it should be transferred to the AL in East Pakistan and to the PPP in West Pakistan. From this Bhutto's intention became very clear and all parties in West Pakistan readily realized it. To the West Pakistani political leaders, his statement, virtually called for 'Two Pakistans'.[94]

A joint meeting held at Maulana Noorani's residence in which Maulana Noorani pointed out that the terminology of West Pakistan used by Bhutto did not exist. The meeting made an earnest appeal to Gen. Yahya to reject outright the 'mischievous' theory of Bhutto and urged him to take concrete steps for the transfer of power to the elected representatives of the people, in accordance with democratic principles. [95]

Yahya Khan finally decided to travel to Dhaka to negotiate with Mujibur Rehman. Gen. Yahya arrived in Dhaka on 15th March and started negotiations with Mujib. Maulana Noorani and some other elected members of the National Assembly from West Pakistan other than those from the PPP, also assembled in Dhaka. [96]

Negotiations began on 16th March, Gen. Yahya appeared agreeable to considering the fundamentals of the Six Points of the AL. Later Mujibur Rehman and Gen. Yahya were joined by their advisors in the talks. They eventually agreed upon the following:

i. The lifting of the Martial Law.

ii. Continuation of Yahya Khan as president;

iii. The creation of two constituent committees, one for West Pakistan and one for East Pakistan, to resolve provincial issues ; and iv. The drafting of constitution in the National Assembly sitting as one body after regional committees had completed their parliamentary works. [97]

Further talks took place on 19th March and presidential team then prepared a draft incorporating the items the teams had agreed upon. On 20th March, Maulana Noorani addressed a public meeting at Arambagh Karachi. In his address he alleged Bhutto as an American agent, who had created uproar and confusion between the two wings. He held Bhutto and some civil servants responsible for the political crises and said that they wanted to divide Pakistan.[98]

On the same day Maulana Noorani convened a one day convention in Karachi of the MNAs of the different political parties, including independents, except the PPP, in order to discuss

'minimum bases of unity among them for the Assembly session due on 25th March.[99] Maulana Noorani in his presidential address accused Bhutto of creating hatred against East Pakistan. He appealed to the delegates for the unity and struggle for the cause of Islam, safeguard the integrity of Pakistan, solve the political crises and work for the economic prosperity of the country. He asked those present to reach Dhaka by 24th March to attend the Assembly session.[100]

Before leaving for Dhaka, Maulana Noorani issued a statement and demanded the immediate transfer of power to the elected representatives, otherwise according to him 'no one can give the guarantee about the solidarity of the country'.[101]

On 20th March, after the talks between Gen. Yahya and Mujib and those between the negotiation teams, Bhutto, who refused to go to Dhaka, announced that he and a team of constitutional and economic experts would depart for Dhaka the next day. On being shown the draft of agreement reached with Mujib, Bhutto took a stand that the martial law could not be lifted without the meeting of the National Assembly.[102]

According to Bhutto this would create a 'constitutional vacuum' and a complete agreement must, therefore, be reached first. On 22nd March after Mujib was being persuaded to meet Bhutto, a formal meeting between Gen. Yahya, Mujib and Bhutto took place. Although on the next day there were armed rallies and demonstrations and Bangladesh flag was hosted, the constitutional discussions by the two teams continued.[103]

The AL team insisted on a number of amendments in the draft proclamation. Three of those caused consternation among the government team were:

i. The 'Constituent Conventions' had been substituted for constituent committees without changing their purpose.

ii. With regards to the oath to be sworn by the members of the National Assembly Awami League emphasized on the constitution instead of the state.

iii. The Awami League wanted to change the 'Federation of Pakistan' to 'Confederation

of Pakistan'. [104]

As a last attempt, Gen. Yahya tried to enlist the help of some of the West Pakistani politicians present in Dhaka. In the evening five West wing leaders representing smaller parties tried to persuade Sheikh Mujibur Rehman to effect a change in the AL's draft proclamation.[105]

On the evening of 24th March, the AL team met the president's team for what turned out to be the last meeting. AL demanded the implementation of Gen. Yahya-Mujib agreement.

According to Tajuddin, Gen. Peerzada promised to telephone them to arrange a further meeting to finalize the terms of the amended draft proclamation but that call never to come across. The AL leaders were anxiously waiting for the final drafting session of the proclamation, but the expected call of Gen. Peerzada never came.[106]

On the night of 25th March, the Pakistan Army began their 'Operation Searchlight'. The objectives were to neutralize the political power of the AL and re-establish the writ of the Army junta. Political activities were prohibited throughout the country and the AL was banned as a political party, censorship was also imposed on the press.[107]

Bhutto was the only leader from the West wing who openly justified the military action from its very outset. On his return from Dhaka, he announced, 'Thank God Pakistan has been saved'.[108] Mujibur Rehman was taken into custody by the Army and was later brought to West Pakistan. The next day only Kamal Hussain surrendered while most of the AL leaders managed to evade capture and left for India whether by design or due to fear. However, the fleeing members of AL were successful in announcing a government in exile of Bangladesh in India. Meanwhile, a large number of people (mostly Hindus) also crossed over India as a result of the military action. The state of hostility which existed between Pakistan and India ensured that

India could take advantage whenever the detrimental situation arose to the integrity of Pakistan. The refugee problem provided India with a pretext to intervene in East Pakistan. The *Mukti Bahini* (Liberation Army) started its activities were trained and armed by India.

Maulana Noorani, in a memorandum to the president, pointed out that due to the Indian involvement in East Pakistan, 'Jihad' against India should be declared and offered one million volunteers to fight for solidarity and integrity of Islam and Pakistan against Indian aggression.[109] He also demanded ban on all 'secular movements'[110] and to promote Islam because, according to him, it's the only bound of solidarity and unity between East and West Pakistan. He also suggested establishing an advisory council of experts of modern law and the Quran and Sunnah and by ordinance promulgation of an 'Islamic Constitution'.[111] He also brought attention of president to the speeches and statements of Z. A. Bhutto and Khan Abdul Qayyum Khan against the lesser political parties (including the JUP) of West Pakistan, which could result in disunity in the country.[112]

Bhutto and Qayyum Khan kept on following their old course of criticizing other parties and creating political tension in West Pakistan. For instance on 14 April 1971 at a press conference at Karachi Bhutto said that the AL was rightly banned by Yahya khan and criticized those political leaders who were supporting Mujibur Rehman just a few months back.[113]

Abdul Qayyum Khan, the leader of the QML, suggested that there should be by-elections in East Pakistan, like Bhutto he too demanded that those political parties and elements which were paving the way for the AL to come to power and had been demanding immediate transfer of power to Mujibur Rehman should also be brought to book and banned.[114]

Maulana Noorani, who was facing criticism from Bhutto and Qayyum Khan for his support to Sheikh Mujibur Rehman, was deposed from the leadership of the JUP Parliamentary Party by the party President Khawaja Qamar-ud-Din Sialvi.[115] Maulana Noorani was charged with the activities repugnant to the 'solidarity' of the country and 'prestige' of the party.[116]

However, the decision was strongly condemned by the majority of the JUP leadership and Ahl-i-Sunnat intelligentsia.[117] According to Maulana Abdul Mustafa Al-Azhari, Shibzafa Faizul-Hassan Shah and 'his associates' were behind the decision.[118] In mid April Khawaja Qamarud-Din Sialvi convened a meeting of *Majlis-i- Amla* in Rawalpindi. The meeting caused a rift in the party because a large number of *Ulama* and *Masha'ikh* of Ahl-i- Sunnat, considered this

Khawaja Sialvi's decision illegal and did not attend the meeting.[119] Later on a meeting[120] held in Lahore on 20th June under the chairmanship of Allama Abdul Mustafa Al-Azhari expelled Sahibzada Faiz-ul-Hassan from the party on the charge of causing rift in the party on the backing of PPP.[121] Finally the rift in the party was bridged in a meeting under the chairmanship of Pir

Karam Shah which restored Maulana Noorani's position as the JUP Parliamentary leader after accepting his explanation regarding his meetings with Mujibur Rehman.[122]
By then Bhutto was also demanding transfer of power in West Pakistan. He was of the view that transfer of power in West Pakistan could not have any adverse effect on East Pakistan. Rather it would lead to democratization in East Pakistan.[123]

Bhutto in his meeting with Gen. Yahya suggested that, "since power could not be transferred without a constitution and since constitution could not be farmed by National Assembly because there was no prospect of its meeting at an early date, the president should redeem his pledge of democratization by producing a constitution of his own".[124]
Gen. Yahya in his address to the nation on 28th June announced his plan of political settlement. The important points were:

i. The framing of a constitution by an Assembly was not feasible;

ii. There was no alternative but to have a constitution prepared by a 'group of experts'.

iii. The proposed constitution could be amended by the National Assembly by means of machinery provided by the constitution itself.

iv. Those elected members of the defunct AL who had taken part in "anti-state activities or had committed criminal act or indulged in anti-social activities" would be disqualified from membership of the National Assembly and provincial assemblies.

v. By-Elections would be held to fill vacant seats (by the AL) in the Assemblies.[125]

The PPP, Asghar Khan, three factions of the Muslim League (ML), The JI, the Peoples' Democratic Party (PDP) and the JUP expressed their desire to contest the by-elections in East

Pakistan.[126]

In August, the Martial Law government issued a list of 88 MNAs of the defunct AL who were clear of all adverse allegations and allowed to retain their seats. Remaining 79 East Pakistani members were called upon to answer charges, failing which they would have to vacate their seats in the National Assembly. A few days later, a list of 94 members of Provincial Assembly was issued who

were clear in the process of screening while rest of the members were asked to clear themselves of the charges against them failing which they would have to vacate

their seats.[127]

To stabilize the political situation, the President had made some moves, he recalled Gen. Tikka Khan and appointed A.M. Malik as the new governor and Gen. Niazi became the martial law administrator of East Pakistan on 3 September 1971. Two days later a general amnesty was announced by Gen. Yahya. The amnesty included the armed forces, East Pakistan Rifles (EPR), the police and the Mujahids.[128]

The by-election schedule was announced on 19th September and accordingly polling was to be held for 78 seats to the National Assembly and 105 for the Provincial Assembly between 25 November-9th December.[129]

In the first week of October Maulana Noorani and Pir Kram Shah visited East Pakistan to see the possibilities of the JUP taking part in the by-elections. The two member delegation of the JUP met Mr. Noor-ud-Din, Khawaja Khair-un-Din, Professor Ghulam Azam and Governor Malik. They visited the migrant camps in Mirpur and Muhammadpur and met the leaders of the different sections of society and had formal and informal talks with East Pakistani journalists.

The organizational matters of the JUP were discussed with Pir Sahib Maulana Abu Salah

Muhammad Jafar and other *Ulama*.[130]

Maulana Noorani, in a press conference on his return from Dhaka announced that the JUP would not contest the by-elections because the party was in its initial organizational stage in East Pakistan and the law and order situation had not come to normal despite the full efforts of the armed forces which made it impossible for his party to reach the masses directly. He said that the coalition of six rightist parties had been created and had finalized the division of the seats among themselves. For the sake of unity of the rightist parties' alliance the JUP left the field open for them to contest by-elections.[131]

He highlighted the plight of widows, orphans and helpless people of East Pakistan and demanded the government to make a comprehensive plan and establish a high level organization for their rehabilitation. He demanded the audit of the *'Muhajir Fund*', collection of *Zakat* of the last 24 years from capitalists, free distribution of agricultural land to poor farmers and ban on illegal holdings.[132]

Maulana Noorani also reiterated the demand of his party to declare *Jihad* against India. For the creation of good will and mutual trust among different sections of society in East Pakistan he suggested the patriotic leaders of defunct AL should be given chance to work , and for free and fair elections in East Pakistan cabinet should be dissolved a week before elections.[133]

He also pointed out the adverse impact of the decision of the general amnesty announced by

Gen. Yahya. To devise out a plan, to meet the national emergency and overcome the crises,

Maulana Noorani proposed the holding of the conference of national leaders at the earliest.[134] Later on, in October, the law and order situation deteriorated so much that it became impossible to conduct by-elections by the Martial Law Authorities. By November the government announced 58 members of the National Assembly and 105 members of the Provincial Assembly had been elected

unopposed. The government announced that the elections on the remaining seats were postponed indefinitely due to the absence of governmental control on outlying areas.[135] Maulana Noorani appealed to the nation to observe 19th November as a day of stability. He was of the view that India, Israel and the imperialist powers were working together to dismember Pakistan.[136]
The state of emergency was declared in Pakistan on 23rd November because the Indian troops began to cross the international boundary in East Pakistan. To counter Indian aggression Maulana Noorani demanded the declaration of Jihad[137] against India and assured the government of full support of his party to save the country from Indian aggression. However, on 16

December 1971 Lt. Gen. Amir Abdullah Khan Niazi signed the Instrument of Surrender in Dhaka and an independent state of Bangladesh was created on the world map.

NOTES

Chapter 1

[1] For detail see Muhammad Asif Khan , "Mubalig-i- Islam aur Unka Gharana," *Karwan-i- Qamar* (Imam Noorani Number), January 2012 , 48-61; Also see *Azeem Mubalig-i- Islam* sp. ed., (Karachi: Khawateen Islamic Mission, 2003); Gul Muhammad Faizi, Obaid Ullah Qadri and Sirj ud Din Amjadi Qadri, ed., *Mennar-i- Noor* (Karachi: Halqa-i- Qadaria Aleemia, 1980) , 1-41; Nadeem Ahmed Nadeem Qadri Noorani, "Hazrat Allama Shah Abdul Aleem Siddiqui Meeruti: Hayat-o- Khidmat," *Ahl-i- Sunnat*, April 2011, 23- 28. For his brief introduction see Shah Muhammad Abdul Aleem Siddiqui, *How to Preech Islam* (Karachi: World Islamic Mission, 2000) , i-viii; Noor Ahmed Meeruti, *Mashaheer-i- Meerut* (Karachi: n.d.), 148-50; Maulana Abdul Hamid Qadri Badauni, "Hallat-i- Zindage: Mubalig-i- Islam Allama Shah Abdul Aleem Siddiqui ," *Salik*, October 1954, 29-33.

[2] *Al-Hamid*, January- February 2004, 24.

[3] For detail of religious education in Indian Sub- Continent see Zia ul Haque, "Muslim Religious Education in IndoPakistan," *Islamic Studies* 14, no. 4 (Winter 1975) : 271-292.

[4] For the role of religious institutions in sub-continent see Arjumand Ara, "Madrasas and Making of Muslim Identity in India," *Economic and Political Weekly* 30, no. 1 (Jan., 3-9, 2004) : 34-38.

[5] *Al-Hamid*,24; *Anwar-i-Raza (Quaid-i-Milat-i-Islamia Number)*, January 2004,71.

[6] For details see. Usha Sanyal, *Ahmad Raza Khan Barelwi: In the Path of the Prophet* (England: Oneworld Publications, 2009); Also see Molvi Rehman Ali, *Tazkara-i- Ulama-i-Hind* (Lakhnow: Kashoor Press, 1894), Trans. Muhammad Ayyub Qadri. (Karachi: Pakistan Historical Society, 1961) : 98-103.

[7] For detail study of the theory see Shafiq Ali Khan, *Two Nation Theory: As A Concept, Strategy and Ideology* (Karachi: Royal Book Company, 1999).

[8] The cow in India is worshipped by Hindus as 'Earth Mother'. For details see Alan Heston, "An Approach to the Sacred Cow of India," *Current Anthropology* 12 no. 2 (April 1971) : 191-209.

[9] *Jang (Rawalpindi)*, 20 November 2000.

[10] Ibid.

[11]*Al-Hamid*, 24, Sadia Akhter, *Allama Shah Ahmed Noorani ki Deeni –o- Muaasherti Khidmaat kaa Jayeza* (Lahore: Idara-i- Pakistan Shanasi, 2007), 92.

[12] Muhammad Idrees, *Maulana Shah Ahmed Noorani: His Role as a Parlimetarian* (Lahore: Allama Shah Ahmed Noorani Research Center, 2003),28.

[13] He got Khilafat of various Sufi orders like *Qadria*, *Chishtia*, *Naqashbandia* and *Shazilia* from his father. For detail see *Shajra Sharif Noorani* (Faisalabad: Halqa-i-Qadaria Aleemia Ishaat-i-Islam, n.d.). For *Qadria, Chishtia,* and *Naqashbandia* Orders see Spencer J. Trimingham, *The Sufi Orders in Islam* (London: Oxford University Press, 1971). For the founder of Shazilia Order see Elmer H. Doughlas, "Al-Shadhili," *Muslim World* XXXVIII, no.1 (Jan., 1948) : 257- 79. Also see A.M. Mohamed Mackeen, "The Rise of Al-Shadhili," *Journal of the American Oriental Society* 91, no. 4 (1971) : 477-86. Maulana Noorani's father trained him in sufiism. For sufi training see Laury Silvers Alario, "The Teaching Relationship in Early Sufism: A Reassessment of Fritz Meier's Definition of the Shaykh al-tarbiya and Shaykh al- ta'lîm," *The Muslim World* 93, (Jan., 2003) : 69-97. Gabraiel Said Reynolds, "The Sufi Approach to Food: A Case Study of Ādāb," *The Muslim World* 90, (Spring, 2000) : 198-217.

[14] Shameema Woodally Farjan, interview by author, Islamabad, 15 November 2013.

[15] For details see Muhammad Ahmed Tarazi, *Tehrik-i- Tahaffuz-i Khatam-i- Nabuwat: Syedna Siddiq-i-Akbar ta Allama Shah Ahmed Noorani* (Karachi: Ufaq Publications, 2009); *Tehqiqati Adalti Report: Fasadat-i Punjab 1953* (Lahore: Punjab Act-VI, 1954), 80.

[16] Muhammad Khan Laghari, interview by author, Islamabad, 31 January 2014; *Nida-i- Ahl-i Sunnat*, August 2003, 15.

[17] For the brief summary of his missionary activities see Syed Muhammad Hafeez Qaiser, *Aik Alam Aik Sayasatdaan* (Karachi: Al-Noor Publications, 2001), 37; *Zia-i- Haram* (Tekrik-i- Khatam-i- Nabuwat Number), December 1974, 21. In July 1957 on the invitation of Mufti-i-Azam Russia, Maulana Noorani undertook a tour of Soviet Union as a member of a delegation under the leadership of Maulana Abdul Hamid Badauni, for the detail see Maulana Abdul Hamid Badauni, *Taasurat-i- Roos* (Karachi: Maulana Shah Ahmed Noorani and Maulana Muhammad Jillini Siddiqi, 1957), 1-11. For the sate of Islam in Russia see Alexei V. Malashenko and Aziza Nuritova, "Islam in Russia," *Social Research* 76, no. 1 (Spring 2009) : 321-58. He also participated in the JUP-West Pakistan Election Convention held on 28-29 September 1968 at Lahore. *Arafat*, October -November 1968, 9.

[18] *Zia-i-Haram*, December 1974, 22; M. M. Ahmed was a bureaucrat and Qadiani by faith. He was famous for his flattery. For his brief character sketch see Qudrat Ullah Shahab, *Shahabnama* 11th ed., (Lahore: Sung-i-Meel Publications, 2000), 401; Maulana Noorani who had been working against the Qadianiat, in the country and abroad, was of the opinion that Qadianis were not faithful to the State of Pakistan, particularly M. M. Ahmed was alleged to be involved in unfair allocation and distribution of funds to East Pakistan. According to G.W. Chaudhury, M.M. Ahmed had remained closely associated with Gen. Ayub's economic policy which resulted in widening the economic gap between the East and West Pakistan. G.W. Chaudhury, *The Last days of United Pakistan* (Karachi: Oxford University Press, 1993), 63. For economic causes of the separation of East Pakistan see Shahid Javed Burki, "Fall of East Pakistan: Some Economic Consequences," *Pakistan Economic and Social Review* (Jun., 1972) : 9-16.

[19] *Faiz-i-Raza*, May 1970,6. For other details of LFO see Hamid Khan, *Constitutional and Political History of Pakistan*. 2nd ed., (Karachi: Oxford University Press, 2005), 205-6.

[20] The MJUP was divided into the following groups: i. Maulana Abdul Hamid Badauni, ii. Shaibzada Faizul Hassan, iii. Syed Mahmood Shah Gujrati, iv.Syed Khalil Ahmed Qadri/ Mahmood Ahmed Rizvi, v. Allama Mufti Ejaz Wali Khan, vi. Maulana Abdul Ghafoor Hazarvi. *Nida-Ahl-i-Sunnat*, June 2000, 46; *Nida-Ahl-i-Sunnat*, September 2003,9.

[21] *Faiz-i-Raza*, April 1970, 4-7.

[22] For details of such attempts see Mujeeb Ahmad, *Jamiyyat Ulama-i- Pakistan 1948-1979* (Islamabad: National Institute of Historical and Cultural Research, 1993), 41-43.

[23] For this important religious school of Ahl-i-Sunnat wa Jammat see Hafiz Nazir Ahmed, *Jaizah Madaris-e- Arabiyah Maghribi Pakistan* (Lahore: Muslim Academy, 1972), 27-41.

[24] The manifesto Committee was consisted of: i. Maulana Shah Ahmed Noorani (Chairman), ii. Allama Syed Mahmood Ahmed Rizvi, iii. Maulana Ghulam Ali Okarvi, iv. Maulana Muhammad Hassan Haqqani, v. Maulana Ghulam Mehar Ali, and vi. Maulana Syed Shujaat Ali Qadri. *Nida-i-Ahl-i-Sunnat*, September 2003,10.

[25] *Faiz-i-Raza*, May 1970,7. Syed Mahmood Ahmed Rizvi, "Mujudah Mulki Halat Par Tabsirah" TD, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi, 3-5.

[26] Nasim A. Javed, "Socialism: An Ideological trend in Pakistan in the 1960's," *The Muslim World* 8, (1961) : 196215. For religious parties literature and campaign against socialism see Muhammad Abdul Khaliq Mujadidi, *Koran aur Ma'ashi Nizam* (Lahore: Jamiyat Ulama-i- Jammu Kashmir, n.d.); Sabir Nizami, *Socialism ka Postmortem aur Islam ka Mashi Nizam* (Kasur: Maktaba Deen-e-Haq, 1969).

[27] *Faiz-i- Raza*, May 1970,7.

[28] Ibid., July 1970, 3.

[29] For Maulana Abdul Hamid Bhashani see Marcus F. Franda, "Communism and Regional Politics in East Pakistan," *Asian Survey* 10, no. 7 (July 1970), Passim; Also see J. L. "A Conversation with Bhashani," *Economic and Political* Weekly 7, no. 16 (Apr. 15, 1972) : 795.

[30] S. Jamal Malik, "THE LUMINOUS NURANI: Charisma and Political Mobilization among the Barelwis in Pakistan," *Social Analysis: International Journal of Social and Cultural Practice*, no. 28 (Jul., 1990) : 42.

[31] He was the son of famous sufi and scholar Maulana Zia ud Din Madani who was a Khalifa of Maulana Ahmed Raza Khan Berelvi. For the detailed biographical study see Khalil Ahmed Rana, *Anwar-i- Qatab-i- Madina* (Lahore: Markazi Majlis-i- Raza, 1987); For detailed study of Maulana Zia Uddin Madani see Abdul Mustafa Muhammad Arif Qadri Ziayi, *Syedi Zia uddin Ahmed Al-Qadri*. 2 Vols. (Lahore: Hizbul Qadaria, n.d.).

[32] Abu Daud Muhammad Sadiq, *Shah Ahmed Noorani*, Vol: I (Gujranwala: Maktaba Raza-i- Mustafa, 1977), 16

[33] *Nida-i-Millat* ,16 June 1970.

[34] For his brief biographical sketch see Ghulam Abdul Haq Muhammad, "Pir Muhammad Karam Shah (1336-1418 H—1918-1998 CE)," *Islamic Studies* 37, no. 2 (Summer, 1998) : 271-2.

[35] Syed Alam, *Kul Pakistan Sunni Conference* (Karachi: n.d.), 43-48.

[36] The demand for the recall of the US Ambassador became briefly an election issue after the accusations circulated to the effect that the US Embassy was supplying funds to certain Rightist parties see Meenakshi Gopinath, *Pakistan in Transition* (Delhi: Mahnoor Book Service: 1975), 76.

[37] Ibid., For the details of the Sunni Conference Toba Tek Singh see *Faiz-i- Raza*, July 1970, 3-7.

[38] *Mashriq(Lahore)*, 31 May 1970. Later, on 14 June 1970 in a special meeting of Majlis-i- Amla the manifesto was finally approved.

[39] For the detail study of this topic see Rudolph Peters and Gert J.J. De Vries, "Apostasy in Islam," *Die Welt des Islams*, New Series17, Issue ¼ (1976-1977) : 1-25.

[40] Syed Mahmood Ahmed Rizvi, "*Markazi Majlis-i-Amal Jamiyyat-i-Ulama-i-Pakistan kay Manshur Ka Khulasa*" Handwritten document signed, 1 June 1970, Private Collection, Maulana Jameel Ahmed Naeemi Karachi, 1-3. For details see *Manshur Markazi Majlis-i-Amal Jamiyyat-i-Ulama-i-Pakistan*, (Lahore: n.d.), 1-23.

[41] Ahmad, *Jamiyyat*, 54.

[42] *Faiz-i- Raza*, August 1970,40.

[43] *Faiz-i- Raza*, September 1970,33.

[44] For the politics and political position of JI see Freeland Abbot, "The Jama'at-i- Islami of Pakistan," *Middle East Journal* 11, no. 1 (Winter, 1957) : 37-51.

[45] The Tashkent Declaration remained a central theme of Bhutto's campaign. As a Foreign Minister at the time of signing of Tashkent Declaration he defended the pact at the time as not detracting one iota from Pakistan's resolve to seek a just solution of the Kashmir dispute. However, he had, reportedly leaked to the press, a story of his dispute with President Ayub over Tashkent. After resigning from the Ayub's cabinet, he threatened to disclose the Tashkent secrets implying that Ayub made a secret deal with Shastri (Indian PM). Bhutto stated at a public meeting at Kairpur on 18 May 1970 that, 'if we had any lust for power, we would not have quit the government. I did so when Ayub betrayed the interests of Pakistan at Tashkent'. At another meeting, he announced an immediate exposure of 'The story of the Tashkent Declaration' if such secrets existed they never came into the open in 1970. At Peshawar on January 19, for example, when the crowd demanded that he disclose the 'Tashkent Secrets', Bhutto suggested that government pressure forced his silence. 'Why are we being gagged' he pleaded, 'in spite of our solemn promise not to reveal anything contrary to national interest…the people of Pakistan have the right to know how they were betrayed.' These Bhuttoian tactics, impregnated as they were in flair for the dramatic, attracted crowds to PPP public meetings. Gopinath, *Pakistanin in Transition*, 78.

[46] For details of the Second All Pakistan Sunni Conference see *Faiz-i- Raza*, September, 1970, 33-38.

[47] *Faiz-i- Raza*, October 1970, 7.

[48] *Zia-i- Harm*, October 1970, 22

[49] Jamaat-i-Ahl-i-Sunnat Pakistan, *Aian-i-Aqwam Main Aaj Apna Geriaban Daikh:Khalasa Intakhabi Manshoor Jammiat-i-Ulama-i-Pakistan*.(Karachi:Jamaat-i-Ahl-i-Sunnat Pakistan,n.d.),4.

[50] Ibid.; *Faiz-i- Raza*, November 1970, 8.

[51] For the importance and impact of Hazrat Mian Muhammad Baksh's poetry see Christopher Shackle, "The Story of Sayfal Muluk in South Asia," *Journal of the Royal Asiatic Society*, Third series, 17, no. 2 (April,2007): 126-129.

[52] JUP run its election campaign on the issue 'Islam verses Socialism'. For details on this issue see *Zia-i- Harm*, November 1970, 5-14. Similarly many Rightist parties sought to discredit socialism with the battle cry of 'Islam in danger'. Gopinath, *Pakistan in Transition*, 71. For PPP use of negative tactics against JUP and other religious parties to disrupt their election meetings see *Faiz-i- Raza*, December 1970, 4-6.

[53] Most important political parties were PPP and AL which consequently emerged as majority parties in East and West Pakistan respectively. For PPP see Gopinath, *Pakistan in Transition*, Chapter III; for AL see M. Rashiduzzaman, "The Awami League in the Political Development of Pakistan," *Asian Survey* 10, no.7 (Jul., 1970) : 574-567.

[54] For detail result of JUP election results see Pakistan Election Commission, Report on General Election:19701971, Vol.11, (Islamabad: n.d.) 68-69,257,263.

[55] For detailed analysis of JUP poor performance in the elections see *Zia-i- Haram*, February- March 1971, 8-12.

[56] *Pakistan Times (Rawalpindi)*, 27 January 1971.

[57] For the history of the enforcement of Islamic system in Pakistan see Fazlur Rahman, "Islam and the Constitutional Problems of Pakistan," *Study Islamica* 32 (1970) : 275-87.

[58] Ahmad, *Jamiyyat*, 76.

[59] M. Asghar Khan, *We've Learnt Nothing from History: Pakistan Politics and Military Power* (Karachi: Oxford University Press, 2005), 33.

[60] Sherbaz Khan Mazari, *A Journey to Disillusionment* (Karachi: Oxford University Press, 1999), 179-180.

[61] Feldman Herbert, *The End of the Beginning- Pakistan 1969-71* (London: Oxford University Press, 1975), 101. For Six Points see Middle East Research and Information Project, "6-Point," *Pakistan Forum* 1, no. 4 (Apr- May, 1971): 8-9; Syed Humayun, *Sheikh Mujib's 6- Points Formula, An analytical Study of the Breakup of Pakistan* (Karachi: Royal Book Company, 1995).

[62] Zaheer Hassan, *The Separation of East Pakistan: The Rise and Realization of Bengali Muslim Nationalism* (Karachi: Oxford University Press, 1996), 132-5.

[63] Khan, *History*, 33-34.

[64] Ibid.

[65] Cited in Mazari, *Disillusionment*, 219. It was said that in this meeting it was decided to use army in East Pakistan to suppress Awami League. The decision taken in the meeting is known as "Larkana Plan". Also see A.A. K. Niazi, *The Betrayal of East Pakistan*, 6th ed. (Karachi: Oxford University Press, 2006), xxiii, xxvi.

[66] Khan, *History*, 34.

[67] *Dawn (Karachi)*, 3 February 1971.

[68] Ibid.

[69] Ibid.

[70]Ahmad, *Jamiyyat,* 76.

[71] Ibid.

[72] Ibid.

[73] *Dawn (Karachi),* 14 February 1971.

[74] *Dawn (Karachi)*, 17 February 1971; *Jang (Karachi)*, 17 February 1971.

[75] Ibid.

[76] *Zia-i- Haram,* March 1972, 8-10. For the details of the meeting see Javed Ahmed Siddiqui, *Noorani Sayasat* (Karachi: Sabal Publications, 1988) , 11-15.

[77] Ibid.

[78] Ibid.

[79] Members of the delegation were Maulana Shah Ahmed Noorani, Allama Abdul Mustafa Al-Azhari, Maulana Abdul Hassan Haqani, Prof. Shah Faridul Haq and Zahoor ul Hassan Bhopali, *Pakistan Times*, 28 February 1971. For the details of the meeting see Weekly *Ufaq (Karachi)* 30 December 1977- 6 January 1978. 3,14.

[80] *Ufaq*, 30 December 1977- 6 January 1978. 3

[81] According to Zahoor ul Hassan Bhopali (a member of the delegation), Gen. Yahya quietly listened to what Maulana Noorani had said about Qadianis and at the end only said that Sheikh Mujibur Rehman also used to say similar things. Ibid.

[82] Ibid.

[83] Ibid.

[84] Khan, *Constitutional History*,212.

[85] Herbert, *Pakistan 1969-71*, 114.

[86] According to Asghar Khan 'it is surprising that the sequence of the events was almost exactly as he [Mujb] had forecast.' Khan, *History*,38.

[87] Ahmad, *Jamiyyat*,78.

[88] Cited in Mazari, *Disillusionment*, 203.

[89] According to him 'no useful purpose could be served by such a conference in the prevailing situation.' *Dawn (Karachi)*, 6 March 1971.

[90] Richard Sisson and Leo E. Rose, *War and Secession: Pakistan, India and the creation of Bangladesh* (Karachi: Oxford University Press, 1992), 70.

[91] Ibid.,103.

[92] Ibid. [93] Ibid.

[94] Md. Abdul Wadud Bhuiyan, *Emergence of Bangladesh and Role of Awami League* (New Delhi: Vikas Publising House, 1982), 103.

[95] Ibid.

[96] Sisson and Rose, *Secession*, 119.

[97] Ibid.,114.

[98] *Jasarat(Karachi)*, 22 March 1971. For the detail of Maulana Noorani's address see *Ufaq*, 12-18 March 1978, 3,14.

[99] Shah Ahmed Noorani, "Invitation" TDS, 10 March 1971, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi.

[100] *Ufaq*, 12-18 March 1978,3,14.

[101] Ahmad, *Jamiyyat*, 79.

[102] Mazari, *Disillusionment*,210-11.

[103] K. Sarwar Hassan, "Political Background of the East Pakistan Crisis," *Pakistan Horizon* 24, no. 2, (Second Quarter, 1971) : 10.

[104] Bhuiyan, *Bangladesh*, 182.

[105] Maulana Noorani had several meetings with Gen. Yahya regarding the political situation of the country. In one of these meetings Maulana Noorani admonished Gen. Yahya as being busy in drinking liquor when the country was facing critical situation. On the other occasion he advised him to transfer power to the elected representatives immediately. *Ufaq*, 21-27 May 1978,14; Siddiqui, *Noorani*, 9-10.

[106] Safdar Mahmood, *The Deliberate Debacle* (Lahore: Sh. Muhammad Ashraf, 1976), 216-28.

[107] Ibid.

[108] *Morning News (Karachi)*, 27 March 1971.

[109] Shah Ahmed Noorani, "Yaadaasht" Hand written document, 8 April 1971, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi, 1.

[110] Such as socialism, communism, capitalism and fascism. Ibid.,2.

[111] Ibid.

[112] Ibid.,3.

[113] *Dawn (Karachi)*, 15 April 1971.

[114] Bhuiyan, *Bangladesh*, 221

[115] *Zia-i- Haram*, May 1971, 9.

[116] Ibid; it is interesting to note that the decision taken by the JUP President was not approved by Majlis-i- Shura or Amla of the party.

[117] Allama Mahmood Ahmed Rizvi, Nazim-i- Ala of the JUP resigned in protest. A meeting of leading Ulama-i- Ahl-i- Sunnat, under the chairmanship of Maulana Ghulam Ali Okarvi, held in Lahore condemned the party President's decision and expressed their full confidence in Maulana Noorani's leadership. *Zia-i- Haram*, May 1971, 5-8. *Jang (Karachi)*, 21 April 1971; *Ufaq*, 29 August- 9 September 1978, 3; For the detailed reaction and implication of the decision see editorial *Faiz-i- Raza*, May 1971, 5-8. Also see Allama Abdul Mustafa Al-Azhari, "Press Conference" TD, 18 June 1971, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi; Mufti Zafar Ali Usmani, "Press Conference" TD, 23 April 1971, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi. [118] Al-Azhari, "Press Conference", 2.

[119] Those who did not attend the meeting were Maulana Shah Ahmed Noorani, Allama Abdul Mustafa Al-Azhari, Maulana Shafi Okarvi, Maulana Jameel Ahmed Naeemi, Maulana Muhammad Ali Rizvi, Mufti Muhammad Hussain Qadri, Pir Muhammad Qasim Mashoori, Maulana Ghulam Ali Okarvi, Maulana Hamid Ali Khan, Mufti Abdullah Kasuri, Mufti Zafar Ali Nomani, Maulana Syed Mahmood Ahmed Rizvi and Maulana Arifullah Shah.

[120] The meeting was convened by Syed Mahmood Ahmed Rizvi the Nazim-i-Ala of JUP (who earlier took back his recognition on the appeal of leading Sunni Ulama). Al-Azhari, "Press Conference", 3.

[121] For Sahibzada Faiz-ul-Hassan links with PPP see Government of Pakistan,*White Paper on Misuse of Media December 1971- July 1977*, (Rawalpindi: Government of Pakistan,1978),143-68.

[122] Ahmad, *Jamiyyat*, 82.

[123] Ibid., 222.

[124] Ibid.

[125] Herbert, *The End*,148-49.

[126] Bhuiyan, *Bangladesh*, 225.

[127] Ibid.,226.

[128] *Dawn (Karachi)*, 5 September 1971; The Washington Post, 6 September,1971.

[129] Sisson and Rose, *Secession*, 173.

[130] Shah Ahmed Noorani, "Press Conference" TD, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi, 1.

[131] Ibid, 1,2.

[132] Ibid, 3,4.

[133] Ibid.

[134] Ibid.

[135] Sisson and Rose, *Secession*, 176.

[136] Dawn, 14 November 1971; Mujeeb Ahmad, "The East Pakistan Crisis and the Role of Jamiyyat-i- Ulama-i-Pakistan: A Critique," *Pakistan Vision* 1. no.1, (January 2000), 29-38.

[137] For the concept of Islamic Jihad see Noor Mohammad, "The Doctrine of Jihad: An Introduction," *Journal of Law and Religion* 3, no. 2 (1985) : 381-97.

Chapter 2
Confronting Bhutto's Socialism
1972-1975

Despite the debacle of East Pakistan Gen. Yahya wanted to remain in power. At the Army GHQ, there was a strong feeling against him. From 18 to 20th December, the country was virtually without a government and Gen. Yahya was more or less a prisoner. The real power was then in the hands of Gen. Gul Hassan. So as a result of 'mini –coup' on 20th December Gen Yahya was forced to resign and Bhutto became the Chief Martial Law Administrator (CMLA) and the president of Pakistan. He thus had the dubious distinction of being a civilian CMLA, a rare occurrence indeed.

On taking power Bhutto announced a 'new' beginning for Pakistan and extended eloquent assurances to its citizens that he would rebuild the democratic institutions and made his government accountable. He also assured the nation of the end of autocratic rule but ironically he decided to continue Martial Law.

On 24 December 1971, to cool the public anger over the East Pakistan debacle, Bhutto ordered the formation of a commission of inquiry, to be headed by Chief Justice Hamood-ur-

Rehman. The term of reference defined by the head of the state were "to inquire into the circumstances in which the Commander Eastern Command surrendered and the members of the Armed Forces under his command laid down their arms and cease-fire was ordered along the borders of West Pakistan and India and along the cease-fire line in Jammu and Kashmir."[1] The terms of reference given to the Inquiry Commission were so limited in their scope that no useful purpose was likely to be served by their investigation.

> As the terms of reference were designed by those who played a key role in the events, therefore, the Terms had two major defects; firstly they restricted the inquiry to the professional military aspects and further restricted it to the events in East Pakistan. The first omission was meant to protect the political leadership and the second omission was intended to cover up the Military High Command. The reasons for these omissions as obvious as daylight because the political and military leadership which designed these Terms of Reference were controlling between them, the Government of Pakistan, military apparatus and their acts of omission were highly detrimental to the result of war. It, therefore, suited both of them to give a bad name to the East Pakistan Commander and his troops and not to bring anything else under discussion. [2]

While addressing a public meeting at Karachi Maulana Noorani informed the public that

"attempts are being made to distort the country's history"[3], he assured the public that history written with the blood of the martyrs would not be distorted. He refuted the impression that Gen.

Niazi (Commander of Eats Pakistan) and his troops did not fight on. Maulana Noorani requested Sheikh Mujibur Rehman to stop killings in East Pakistan (Bangladesh) and expressed his sorrow on the government's lack of interest in the issue of return of 93,000 prisoners of war (POWs).[4]

For the solidarity of the country he gave the following five point formula:

i. Open trial of Gen. Yahya Khan.

ii. Expeditious return of the POWs from India.
iii. Lifting the Martial Law, introduction of an intern constitution and convening of the sessions of the National Assembly and Provincial Assemblies.
iv. Islam must not be used as political stunt, but reforms (social and economic) should be introduced in the true light of Islamic brotherhood and social justice. These reforms must be made through parliament following democratic norms.
v. Ban on armed forces taking part in politics. [5]

By mid February 1972 the government got a complete control over the large part of printed press by taking charge of the National Press Trust. The board of directors and board of trustees of the trust were suspended thus creating an 'official media'.[6] As one of the leading politician commented:

> The reporting of the 'independent' press soon became no different from the official media of the National Press Trust. Political reporting was largely restricted to the daily uttering of Bhutto and his underlings. Even reports on the proceedings of the National Assembly gave coverage only to the government benches. On occasions there would be mention of speeches made by the opposition and its leader(s). [7]

Maulana Noorani who firmly believed in the freedom of press condemned this state of affair and warned the government that the very existence of Pakistan would be endangered if voice of the newspapers, which was in fact the voice of the nation, was suppressed.[8] He also criticized Bhutto's decision to quit Commonwealth[9] and accused him being a party to the debacle of 1971.[10]

The continuation of Martial Law was disturbing the democratic and political forces of Pakistan. The matter of framing a constitution was also in limbo. Maulana Noorani while addressing the public meeting at Karachi criticized Bhutto for establishing one party rule in the country by crushing opposition (parties) with the 'weapon' of Martial Law. He also demanded that the future constitution should be based on the Quran and Sunnah and threatened the government that his party would resist the enforcement of a constitution repugnant to Islam.[11]

On the other hand, in the tripartite accord of 6 March 1972 among PPP, ANP and JUI among the other things it was decided to continue Martial Law till 14 August 1972 and the National Assembly would be called into session on 14 April 1971. Maulana Noorani who claimed to believe in democracy demanded the immediate withdrawal of Martial Law.[12] To chalk out future plan of action two days before the inaugural session of National Assembly Maulana Noorani convened a meeting of independent and opposition parties MNAs at Rawalpindi. The meeting took the following decisions:

i. To work for the introduction of an Islamic constitution and the supremacy of democracy.
ii. To vote against the interim constitution (which was announced by Bhutto on 11 April 1972).

iii. Immediate end of Martial Law.
iv. A five member committee was made with Maulana Noorani as its convener to achieve the above-mentioned objectives. [13]

It was due to the efforts of this committee that the various opposition parties agreed unanimously to nominate Sardar Sherbaz Khan Mazari[14] as a joint opposition candidate for the election of President of the National Assembly.[15]

Later on the issue of continuation of Martial Law by Bhutto, the members of the opposition parties remained adamant that now the National Assembly was officially in existence, democratic norms must return.[16]

Bhutto made an offer to the opposition that Martial Law would be lifted on 21st April instead of 14th August if the Interim Constitution was adopted by 17th April.[17] The opposition accepted the offer and with the adoption of the draft of the interim constitution on 17 April 1972 which was consistent with the government's policy of non-recognition of Bangladesh (as empty seats were kept for East Pakistan members of the National Assembly) martial law was lifted on 21 April 1972.

A twenty-five member's constitution committee including Maulana Noorani five other opposition MNAs[18] was appointed to prepare the draft of the permanent constitution. Maulana Noorani welcomed the decision of lifting Martial Law in his address to the inaugural session of the National Assembly and demanded the future constitution to be based on the teachings of the Quran and Sunnah and on the twenty-two points[1] of the *Ulama*.[19]

The following day Maulana Noorani in his address in the National Assembly pointed out that all the provisions of Martial Law Regulations (MLRs) had been included in the Interim Constitution and no time limit had been mentioned for the abrogation of un-Islamic laws. He also

demanded the government to ban liquor, music, dancing, night clubs and gambling. Maulana Noorani also demanded that the definition of a Muslim must be included in the constitution. He define Muslim as "One who believes in the unity of God and his Prophet Muhammad (*Peace be upon him*) as the last Prophet, is a Muslim otherwise he/she is a Mirzai/Qadiani…"[20]

Maulana Kausar Niazi, Minister for Information, *Auqaf* and *Hajj* also spoke on this occasion. He defended the draft of the Interim Constitution by saying that it contained sufficient scope for the establishment of an Islamic ideology and principles. He also criticized the role, *Ulama* were playing in Pakistan. He was of the view that if the parties of the *Ulama* particularly JUP and its supporters and JUI and its members would be asked to draft an Islamic constitution, they would bring coded law such as Pakistan Penal Code (PPC). He challenged *Ulama* to produce a unanimous definition of Muslim before the house.[21]

The challenge was accepted by Maulana Noorani and his party (JUP). He along with Maulana Abdus Sattar Khan Niazi, Maulana Ghulam Ali Okarvi, Maulana Muhammad Ali Rizvi and Maulana Abdul Mustafa Al- Azhari finally drafted a definition which was not only comprehensive but also approved by the JUI MNAs. It was also decided that Maulana Abdul Haq of JUI would present it before the house to show the unity of the religious parties on this very issue.[22]

The release of over 93,000 POW's, the return of some West Pakistan territory captured by India and the relations with the newly created state of Bangladesh and with India were important issues that required the government's immediate attention. To discuss these issues Bhutto flew to India on 28 June 1971 to negotiate peace with Indian Prime Minister Indra Gandhi. The summit conference between the two Prime Ministers opened on the same day at Simla. An agreement was finally arrived at on 2nd July and was signed.

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[1] For details see Appendix A.

The terms of agreement finally made at Simla were not favorable to Pakistan. The agreement ignored the most important issue of the return of the Pakistani POWs and conceded the territory captured by India during the 1971 war to from a new line of control in Kashmir. Pakistan also agreed not to raise the Kashmir issue in United Nations or other international forums. This issue was instead to be discussed bilaterally.[23]

Maulana Noorani declared Simla Agreement "worse than the Tashkent Declaration" because, according to him by signing it Pakistan had not only accepted the Indian aggression in East Pakistan, but also agreed to the cease fire line in Jammu and Kashmir as international border by backing out of her stand on Kashmir.[24]

When Bhutto government showed the sign to recognize Bangladesh JUP under the leadership of Maulana Noorani started a public campaign against the government move and declared East Pakistan as an inseparable part of Pakistan and took a stand that even the National Assembly could not recognize Bangladesh. Maulana Noorani asked the people to unite against internal and external evil designs against the integrity and solidarity of Pakistan.[25]

Addressing a public meeting outside Mochi Gate, Maulana Noorani stressed the need of holding fresh general elections after the permanent adoption of the constitution. He said that the majority of the people of Pakistan were against the recognition of Bangladesh and if new elections were held they would vote for those who wanted reunification of two wings of the country.[26]

He added that every member of the National Assembly had pledged himself under the Interim Constitution to safeguard the integrity of Pakistan at all cost and therefore nobody had a right to recognize Bangladesh. Maulana Noorani said that it was being said that Bangladesh had become reality and we should accept this reality but before accepting this reality the people of Pakistan must be told of other facts which had separated East Pakistan from the West Pakistan.[27]

Pointing out the government propaganda for the recognition of Bangladesh he said people were being told of the losses which Pakistan would have to incur in case of non-recognition of Bangladesh. It was being linked with the repatriation of POWs and the establishment of trade relations. He asked that India had committed aggression in East Pakistan by incurring an expenditure of billions of rupees, how could it permit Pakistan to recapture the trade market of

Bangladesh. He was of the view that by recognizing Bangladesh we would only be encouraging India to conspire for the disintegration of West Pakistan.[28] Under the President-ship of Maulana Noorani the leaders of oppositions parties in a meeting at Lahore decided to work unitedly against the recognition of Bangladesh. Bhutto realizing the success of opposition campaign changed the position and decided against recognition for the time being. Though Maulana Noorani succeeded in uniting the opposition but the three JUP MNAs from Punjab Mehr Ghulam Haider Bharwana, Mian Muhmammad Ibrahim and Shaibzada Muhammad Nazir Sultan favored recognition of Bangladesh contrary to the party line.[29]

The PPP established its government in Sindh headed by Mumtaz Bhutto, a cousin of Z.A. Bhutto. The PPP had drawn nearly all its support from the rural Sindhis. In the urban areas, where the migrants[30] from India after the creation of Pakistan had largely settled, votes had gone to the opposition parties particularly to JUP which had seven members in the Sindh Provincial Assembly. Its parliamentary leader Prof. Shah Faridul Haq was the leader of opposition in the Sindh Assembly.

The Chief Minister of Sindh declared that a bill would be moved in the provincial Assembly declaring Sindhi to be the only official language of the province. By June, official Sindh government forms were being printed in English and Sindhi.[31] Sindh Assembly despite the opposition and

walkout of Urdu speaking group passed the Sindh Language Act on 7 July 1972. The passage of the bill resulted in widespread agitation and protests in Karachi and other urban centers and rural town, such as Larkana.

The agitation took a violent turn resulting in the death of scores of people. Curfew had to be imposed in certain areas of Karachi like Pak Colony Nazimabad and Liaqatabad. Curfew was also imposed in Hyderabad, Hala, Tandoajm and other rural towns in Sindh. Maulana Noorani strongly condemned the killing of innocent people and blamed the provincial government for backing these riots and trying to pave the way for the creation of '*Sindhudesh'*.[32]

Bhutto invited a number of opposition leaders to discuss situation in Sindh. On 13 July 1972 the opposition delegation including Maulana Noorani, Sardar Shaukat Hayat, Mufti Mahmood, Prof. Ghafoor Ahmed and Sardar Sherbaz Khan Mazari met with him. Bhutto put the sole responsibility of making the crisis on his cousin Mumtaz Bhutto and accused him of overreaching ambitions.[33] He told the delegation, "Murtaza Bhutto wants to project himself as a Sindhi Nationalist. He got elected on my coat-tails and now challenges my supremacy in the province".[34] The delegation demanded Bhutto to resolve Sindh issue at the earliest.[35]

An agreement was finally reached between old and new Sindhis representatives on language issue in Sindh. It entailed that Sindhi would become the official language of Sindh, Urdu would be honored and promoted as a national language and for a period of twelve years no one would be disadvantaged in public employment or transactions on the ground that he did not know Sindhi.[36]

Though the language issue was resolved by the agreement but *'Muhajir'* ethnicity started taking its firm roots in the urban areas which resulted in the culmination of a semi –militant organization by the name *Muhajir Qaumi Movement* (MQM) which resulted in declining the strength and hold of religious political parties (like JUP) who believed in Islam as a bond of solidarity to its people.

Maulana Noorani had been insisting that since Pakistan was established in the name of Islam and could be saved only if it becomes an Islamic state. To make the future constitution democratic and Islamic he not only mobilized public support but also worked actively as a member of constitution committee.

Addressing JUP workers at Karachi Maulana Noorani said that his party would co-operate with all those who wished to help frame an Islamic constitution and oppose those who were working against it.[37]

He recalled the services of *Ulama* to Pakistan and said leftists forces had always created hurdles in the way of the establishment of an Islamic society. These forces, he said, were apposed to Islam because they did not believe in religion or in the ideology of Pakistan. He expressed his party's determination to thwart any move to stop the introduction of an Islamic constitution.[38] There were speculations in the press that Bhutto wanted a French system of government to be introduced in Pakistan. Maulana Noorani announced that the united opposition parties would resist any such move strongly.[39] Bhutto invited the leaders of parliamentary parties in the National Assembly for discussions on constitutional issues on 17th October. After four days of hard bargaining, an accord was reached on 20 October 1972.[40]

Some of the important features of the Constitutional Accord were:

i. Islam was designed as a state religion.[41]

ii. The proposed oath of office for the President and the Prime Minister which provided for them to be Muslim.

iii. The establishment of a council to propose the Islamization of laws.

iv. A federal parliamentary system of government answerable to the National Assembly.

v. All action would be taken in the name of the President but the chief executive would be the Prime Minister, the President would act on the advice of the Prime Minister on all the matters which would be binding on him in all respects. vi. The National Assembly would elect one of his members to be the Prime Minister who would be called upon by the President to form the government.

vii. It would be the right of the Prime Minister to seek the dissolution of the National Assembly at any time, even during the pendency of the motion for a vote of no- confidence against him. viii. In order to ensure stability in the country, the following provisions would be incorporated in the constitution

a. A vote of no-confidence could be moved unless by the same resolution, the name of another member of the Assembly was proposed as his successor.

b. A vote for no confidence could not be moved during the budget session.

c. Once the vote for no-confidence was defeated, a subsequent vote of no-confidence could not be moved for a period of at least six months.

d. For a period of fifteen years or three general elections thereafter, which ever was longer, a vote of no-confidence could be deemed to have failed unless passed by the majority of not less than two-third of the total membership of the National Assembly.

ix. The creation of the 'Council of Common Interest' to redress provincial grievances regarding the distribution of water, revenue from the sale of natural gas and minerals and industrial developments. [42]

Maulana Noorani expressed his satisfaction over the constitutional agreement, and demanded that the permanent constitution to be framed ensuring democracy and supremacy of Islamic law in the country.[43] He was hopeful that the constitutional accord would bring the confrontation on the issues of federal parliamentary system and provincial autonomy to an end. He said that by the unanimous adoption of the constitutional framework the confrontation between the center and the provinces would also come to a halt.[44]

He was of the view that by including Islamic clauses in the constitutional accord particularly the declaration of Islam as state religion and Islamic oath for the President in which the definition of

Muslim would be included by doing so the feelings of the overwhelming Muslim majority in the country were respected.[45] He hoped that peace would then return in the political atmosphere of the country and added that then it could be said with confidence that the permanent constitution would be ready and introduced in time.[46]

The government moved a constitution bill in the National Assembly on 30 December 1972, and the opposition found that it did not fully correspond with the Constitution Accord they had signed in October 1972. The opposition blamed the government of violating the constitutional accord.

In his address to the nation on radio and television Maulana Noorani highlighted the following points resulting in government violation of the accord:

i. Placement of the basic Islamic laws, as no law repugnant to the Quran and Sunnah would be framed, in the section of principal of policy.
ii. No guarantee was provided that all laws would be brought in accordance with the teachings of the Quran and the Sunnah.
iii. Ineffectiveness of the proposed Islamic Council which was to determine Islamicity of laws.
iv. Decrease in the number of seats for the National Assembly and Senate.
v. Curtailment of the power of Judiciary.
vi. Incorporation of Martial Law Regulations (MRLs) No. 59, 89, 91 and 144 in the draft constitution and continuation of the Political Parties Act (PPA) of 1962.
vii. Deprivation of certain fundamental rights promised in the constitutional accord. [47]

Later on, in February 1973, Bhutto dismissed the Baluchistan government after the discovery of a large cache of arms in the Iraqi Embassy in Islamabad. NAP and JUI also had coalition government in NWFP, and as a protest against this action of the federal government the NWFP government resigned. Maulana Noorani condemned the dismissal of the Baluchistan and NWFP governments by Bhutto and considered it an act to pressurize the opposition to sign the controversial draft constitution.[48] Maulana Noorani appealed to the people to observe 2nd March as *Yawm-i- Islami Dastur* throughout the country.[49]

The opposition were feeling dejected the way Bhutto government was behaving so at the convention of the opposition parties held in Islamabad on 28 February and 1 March 1973 it was decided to form a coalition of opposition parties under the name of United Democratic Front (UDF).[50]

The convention was attended by JUP, JI, JUI, NAP, Pakistan Democratic Party (PDP), *Khaksar Tehrik* (KT), Muslim League (ML) and independent members of the National Assembly. The *Tehrik-i-Istaqlal* (TI) did not take part in the convention.[51] The participant resolved to form United Democratic Front on the basis of the following points:

i. To safeguard and protect the geographical entity and unity of Pakistan;
ii. To achieve truly Islamic, Democratic, Federal and Parliamentary Pakistan;

iii. To secure the fundamental rights of all citizens; iv. To liberate the people from all sorts of exploitation;

v. To wipe out every evil trade of fascism and defeat all attempts to impose dictatorship.

vi. To support provincial autonomy consistency with the requirements of national integrity and resist any undemocratic and improper interference by the center in the affairs of a province;

vii. To free the press and all other media of mass communication from all immoral and undemocratic curbs;

viii. To carry out an unremitting struggle for the rights of students, intellectuals, journalists and workers;

ix. To secure the release of POWs at the earliest;

x. To adhere to healthy political principles and traditions; xi. To combat all internal and external conspiracies against national ideology and; xii. To secure the revocation of the National Emergency Proclamations.[52]

The Central Council of UDF held its first meeting on 12 March1973 and elected Pir Sahib of

Pagaro as President, Maulana Mufti Mahmood and Nawabzada Nasrullah Khan as vice Presidents and Prof. Ghafoor Ahmad as General Secretary.

The General Council also decided to set up two committees known as central and the constitutional committees. The former included, besides all the office bearers of the front, Maulana Abdus Sattar Khan Niazi (JUP), Haji Sarfraz Khan (KT), Khan Abdul Wali Khan (NAP) and Sardar Sher Baz Khan Mazari (an independent) as members. The central committee which was in effect the Action Committee of the UDF was meant to formulate its policies and determine the action vis-à-vis the government and its policies.

The constitution committee was to introduce amendments in the National Assembly on the behalf of the opposition parties. It was comprised of Maulana Noorani, Sardar Shaukat Hayat Khan, Aziz Ullah Sheikh, Qazi Muhammad Salim, Maulana Zafar Ahmed Ansari, Ahmad Raza Kasuri, Ghafoor Ahmad, Ghaus Bux Bizanjo, and Ghulam Farooq. In addition, a coordination committee was also set up with Maulana Noorani as the convener.[53]

The UDF constitution committee drafted its proposal for essential amendments in the constitution bill which were sent to Bhutto on 16 March. These proposals press for a more

Islamic and democratic constitution demanding the following points:

i. To strengthen the constitution's Islamic provision;. ii. Allow superior courts to review the decision of special tribunal;

iii. Reduce the government's preventive detentions and emergency powers;

iv. Soften the requirements for passing a no-confidence motion against the Prime

Minister;

v. Lower the voting age to 18 years; vi. Make the Election Commission autonomous;

vii. Rationalize the constitutional protection to be given to law made during the operation of Martial Law;

viii. Provide job security to civil servants. [54]

UDF decided to hold a public meeting at Liaqat Bagh, Rawalpindi on 23rd March. It was subjected to an organized attack by armed PPP workers and Federal Security Forces (FSF). Over twenty persons were killed and most of them were NAP supporters from NWFP.

After the Rawalpindi incident the opposition unanimously decided to boycott the preceding of the National Assembly causing the dilemma. To have the constitutional deadlock resolved

Bhutto invited Maulana Noorani along with six members of UDF's Action committee for

discussion on the constitution to be held on 2nd April.[55]

Opposition was divided on the acceptance of Bhutto's invitation. A strong lobby was advocating that the UDF must reject the invitation. On the other hand Maulana Noorani, Sardar Sher Baz Mazari and Prof. Ghafoor Ahmad were in favor of accepting the invitation to put forward to the government the UDF view point on the future constitution.[56]

Finally the talks were held between the Six UDF Action Committee members and Bhutto and his team on 2nd and 4th April. After the conclusion of the talks on the evening of 4th April Bhutto handed over an aide-memoire wherein he conceded to some of the UDF demands. However UDF, decided to continue the boycott of the National Assembly Session on 7th April.[57]

In a last minute effort Bhutto and his team had detailed discussion with UDF leaders during the course of which mutually agreed amendments to the disputed articles were worked out. Accordingly, the opposition members returned to the National Assembly on the afternoon of 10th April and the constitution bill was passed unanimously. JUP decided to abstain from voting of the constitution bill. Explaining the decision Maulana Noorani said that constitution was completely neither Islamic nor democratic, and his party would continue its efforts to make it in accordance with *Nizam-i- Mustafa*. He said that they would continue to fight for inclusion of more Islamic and democratic clauses in the constitution.[58]

JUP under the leadership of Maulana Noorani decided to play the role of an opposition party in and outside the parliament despite the government offer of ministries in the federal and provincial cabinet.[59] He however was aware of the fact that, "for those who dared oppose him (Bhutto) in the heyday of power, he had nothing but contempt".[60]

Though the parliamentary opposition was weak and its total strength at no time exceeded one quarter of the strength of the house and posed no threat to the government but it was treated roughly by Bhutto[61], who used all his means to weaken the control of Maulana Noorani on his party by supporting Sahibzada Faizal Hasan.[62] The radio and television were instructed to replace the former's name with the latter's.[63]

The three JUP MNAs from Punjab Mehr Ghulam Haider Bharwana, Mian Muhammad Ibrahim Barq and Sahibzada Nazir Sultan joined Faizal Hasan to challenge Maulana Noorani's leadership.

They supported campaign for the recognition of Bangladesh and criticized JUP joining UDF on the ground that since NAP activities were against Islam and Pakistan JUP must not associate itself with NAP a component party of UDF. They charged Maulana Noorani for not consulting them on important issues.[64]

Later on, the joint meeting of the JUP Central and Provincial *Majlis-i- Shura* and *Amla* was held at *Madrasa Jamia Rizvia Mazharul Ulum* which elected Maulana Niazi as the President and Maulana Muhammad Sharif Rizvi as *Nazim-i-Ala* of JUP Punjab. It ended the self declaration of Sahibzada Faizal Hasan as President of JUP Punjab. The meeting not only canceled the basic memberships of Meher Ghulam Haider Bharwana, Mian Muhammad Ibrahim Barq and

Sahibzada Nazir Sultan (the three JUP MNA's elected from Punjab) but also bestowed the proud titles; *Qaid-i-Ahl-i-Sunnat* (the leader of *Ahl-i-Sunnat*) on Maulana Noorani and *Mujahid-i-*

Millat (Soldier of the nation) on Maulana Niazi respectively.[65]

Maulana Noorani who was working as acting President of JUP after the resignation of

Khawaja Qamaruddin Sialvi[66] convened an All Pakistan convention of JUP, at Khanewal on 26-

27 May 1973. With the announcement of the convention government backed 'Sahibzada Group'

started criticizing Maulana Noorani for working with NAP, JIP, and JUI in the UDF.

At the very well attended Khanewal Convention office bearers of JUP were elected. Maulana Noorani and Maulana Abdus Sattar Khan Niazi were elected as presidents and *Nazim-i-Ala* unopposed respectively. Syed Muhammad Ali as vice president and Zahural Hassan Bhopali as information secretary.[67]

In the convention the issue of JUP joining UDF was also debated. The opponents led by

Maulana Ghulam Ali Okarvi contended that the Front was comprised of the parties like JI and NAP, with them JUP had fundamental differences on religious and political grounds. Maulana

Abdus Sattar Khan Niazi defended the decision to join UDF but agreed with the dissenters that JUP had serious religious differences with JI. While Maulana Noorani and Maulana Niazi observed that JUP had aligned itself with NAP, JI and other components of the Front on the basis of 12 points program. The debate which was started in the evening and continued till mid night generated a lot of heat and finally the convention endorsed the JUP decision to join UDF.[68]

It was not only the success of Maulana Noorani's point of view and the decision to join UDF but also the way this issue was openly debated showed his belief in democracy and courage to face criticism, which in not very common in the religious political parties of the country.

The convention adopted the following resolutions:

i. It condemned the government action in Baluchistan and the conspiracies against the Azad Jammu & Kashmir(AJK) Government

ii. Demand of the withdrawal of emergency (imposed in the country since the fall of Ayub Khan), Section 144 and Defense of Pakistan Rules (DPRS) and other preventive laws

iii. Demanded the government to declare *Qadiani*s as non-Muslim minority and remove them from the key posts. [69]

Later on in a press meeting on 29th May, Maulana Noorani warned the government that interference in the affairs of the Government of AJK would have negative repercussions on Pakistan as well as the rest of the Muslim world. He mentioned that AJK Assembly was an independent institution and had the powers to pass a resolution on any issue. The President of AJK had been elected on the basis of adult franchise, and also was competent to take any decision which might not be agreeable to the political executive of Pakistan.[70]

He said Pakistan people's party could confidently claim that the party was elected through popular vote, and it had the legal right to rule the country. On the same grounds the AJK government could make this claim with more justification as its President had been elected through adult franchise.

Maulana Noorani said any 'illegal step' against the AJK government would frustrate the aspirations of the Muslims of the occupied Kashmir. If the lawful government was not allowed to function in the region, the people of occupied Kashmir would be reluctant to decide their future in favor of AJK (Pakistan) which would cause an irreparable political loss to Pakistan.[71]

Maulana Noorani expressed the apprehension that official policy vis-à-vis AJK and Baluchistan might culminate into something very serious. He maintained that the interference in Baluchistan had eroded all ethical and democratic norms after the dismissal of a constitutional government in Baluchistan. He said, all claims of the PPP about the desolation and democracy stood fully exposed.[72]

He asserted that if the law and order situation was the only basis for intervention in Baluchistan and AJK, then there was a stronger case for such action in Sindh and Punjab, which remained disturbed throughout.[73]

After the Kahnewal convention Maulana Noorani once again became active in UDF political struggle. He addressed along with other UDF leaders, public rallies in main cities of Pakistan demanding the lifting of the state of emergency, holding of fresh elections after the promulgation of the new constitution.

UDF observed 20th July as 'Baluchistan Day' to high light government's high handedness and to demand the restoration of democratic government in the province. Addressing party workers in Karachi Maulana Noorani said that the people of Punjab, Sindh and NWFP by observing Baluchistan Day demonstrated their full support to the people of Baluchistan in their struggle for the restoration of democracy and rule of law in the country. [74]

He cautioned his party workers to be on guard against those forces who were trying to disintegrate the country. He alleged that the people of Baluchistan were being victimized for no fault of their own 'we could not be a silent spectator to such happenings' he declared. He stressed the need for strengthening democratic institutions in the country to bring about political stability. He also assured that his party would fully protect the rights of the people of Baluchistan.[75]

To discuss national affairs and the recognition of Bangladesh, Bhutto held talks with the UDF at Murree on 29 June 1973, which proved to be unsuccessful. Later on when the government adopted

a resolution for the recognition of Bangladesh, in the National Assembly, the opposition parties boycotted the National Assembly session.[76]

To make its protest more powerful UDF held convention at Lahore on 29 July, 1973, heated debate took place over the decision to launch a nation wide civil disobedience. JI was hesitant on the issue and on a point of disagreement Ahrar Party decided to leave UDF. Latter in another meeting it was decided to launch civil disobedience moment on 24th August in the same meeting

Wali Khan was elected as the leader of the opposition and Maulana Noorani as the secretary General.[77]
On 12 August 1973 the election for the Premiership was held. Maulana Noorani was nominated by the UDF as its candidate, three JUI MNAs, Maulana Hazarvi, Maulana Abdul Hakeem and Maulana Abdul Haq, left the opposition benches and supported Bhutto, who was nominated as the Prime Minister winning 109 votes in the house, against Maulana Noorani's 28

votes.

After the election of Prime Ministership the constitution formally came into force on 14th August 1973. Chaudary Fazal Elahi was sworn in as President and Bhutto was sworn in as Prime Minister of Pakistan. Speaking on the occasion Bhutto said that days of palace intrigues and coups were ended and that venom and violence in politics must stop.[78]

Just two days after the enforcement of the new constitution and on contrary to his statement mentioned above Ghaus Baksh Bizenjo former Governor of Baluchistan, Sardar Khair Baksh Mari former CM of Baluchistan and Sardar Atta Ullah Mengal an MNA from Baluchistan, were arrested on various charges of malpractices, corruption and sedition activities. Thus the confrontation with the opposition was initiated by Bhutto in a big way.

On 20th August UDF action committee, in a meeting at Lahore decided to launch civil disobedience as per schedule. At the time serious flooding had taken place in Lahore and other parts of the province. "The JI who wished instead to take part in the organizing flood relief work, were angrily condemned by Maulana Noorani who accused them of cowardice and betrayal of common cause."[79]

In the same meeting it was decided that Wali khan, Arbab Sikandar and Mufti Mahmood would lead the opposition campaign in the NWFP, Nasrullah Khan and Zahur Elahi in Punjab,

Sher Baz Mazari in Baluchistan and Ghafoor Ahmad and Maulana Noorani in Sindh and

Karachi.[80]

JUP under the leadership of Maulana Noorani not only actively participated in UDF 'Civil

Disobedient Movement' but also in flood relief activities. In an interview with the daily Dawn Maulana Noorani the General Secretary of UDF parliamentary party said that the continued denial of democratic rights to the people of Baluchistan and the arrest of Baluch leaders was becoming an open invitation for foreign interference in Baluchistan and NWFP. He demanded early unconditional release of political detainee.[81]

He also expressed dissatisfaction at the lack of proper relief measures in almost all areas of

Punjab and Sindh and alleged that PPP leaders were just busy in 'helicopter borne flood survey' and doing little on the ground for the relief of the flood affected people.'[82] While addressing party workers Maulana Noorani alleged that relief camps set up by his party for flood affected people, in Multan and Layallpur (Faisalabad) were ransacked by *Goondas* (hooligans). However, he said, his party would continue providing whatever relief it could to help flood affected people of the country.[83]

Addressing a news conference, after a visit to the flood-affected areas in Hyderabad and Nawabshah districts Maulana Noorani said that opposition parties were not allowed to help the flood affected people who were facing a lot of difficulties because the relief funds were being misused. He claimed that the relief work done by PPP was being used for the ruling party's propaganda to build up the image of its leaders but he pointed out that many parties in the UDF were actively engaged in relief work as it was a national issue. Maulana Noorani demanded setting up a rehabilitation commission comprising of ruling party and opposition representatives or a committee headed by Supreme Court judges for the fair distribution of Prime Minister's Flood Relief Fund.[84]

For his criticism on the government Maulana Noorani faced strong reaction from the ruling party when he was stoned and fired at Khairpur Railway Station soon after he boarded the

Khyber Mail. He was returning to Karachi after meeting the UDF chief Pir Pagaro in Pirgo Goth.[85] Maulana Noorani despite the government policy of harassment of the opposition leaders and workers kept on criticizing the government's highhandedness. He met Abdul Hai Baluch a NAP

MNA at city court Karachi who was arrested by the government. Dr. Abdul Hai informed

Maulana Noorani how he was kept in 'C' class despite of High Court order to transfer him to 'A' class jail to which he was entitled as an elected MNA. Maulana Noorani condemned the way Dr. Abdul Hai was treated by the government and declared the government's action of declining 'A' Class to Dr. Abdul Hai as a contempt of court.[86]

Maulana Noorani believed in Muslim brotherhood and was a stanch support of Muslim cause throughout the world. He also supported the Palestine Cause. During Arab- Israel war of October 1973 Maulana Noorani fully supported the Arabs against Israeli aggression and urged government to provide all possible material help to the Arabs in their war against Israel.[87] Addressing a public meeting at Arambagh (Karachi) he said that it was our religious duty to help

Arabs brethren. He cautioned the people against the expansionist design of Israel. Later on he urged Prime Minister Bhutto to hold special session of National Assembly to discuss in camera the various steps the government had taken in support of Arab Cause.[88]

As discussed earlier that following the footsteps of his father, Maulana Shah Abdul Aleem

Siddiqui, Maulana Noorani remained active in the struggle to protect the finality of Prophet Muhammad (*Tahaffuz-e- Khatm-e- Nubuwat)*. He participated in 1953 Anti- Qadiani Movement and in 1954 he focused his attention on the missionary activities abroad and countered the *Qadiani* propaganda activities internationally.

From the start of political career in 1970 Maulana Noorani politics revolved around the issues of the enforcement of the *Nizam-i- Mustafa* and to safeguard the *Maqam-i- Mustafa* (sanctity of the Prophet Muhammad).

*Qadiani*s who don't believe in the finality of Prophet Muhammad (Peace be upon him) remained hot target of Maulana Noorani. It was he who demanded that the definition of 'Muslim' to be incorporated in the constitution of Pakistan. He demanded so because *Qadianis* were projecting themselves as Muslims despite of the unanimous fatwa of all major Muslim schools of thought that they (*Qadianis*) were non-Muslims.

As discussed earlier it was also due to the efforts of Maulana Noorani along with other religious parties and their leaders that the constitution of Pakistan debars non-Muslims from occupying the offices of President and Prime Minister of Pakistan.[89]

Maulana Noorani was elected as the President of World Islamic Mission[90] (WIM) at International Islamic Missionary Conference at Bradford UK on 12 May 1974.[91] After attending the conference he went to Saudi Arabia and on his return home on 26 May1974 brought a copy of a resolution against *Qadiani*s adopted by the *Rabita- al Alam-i- Islami* in a meeting at Makkah on 6 -10 April 1974.[92]

As soon as Maulana Noorani started his anti- Qadiani campaign highlighting the *Rabita- al Alam-i-Islami's* resolution against *Qadiani*s an incident took place at Rabwah Railway station which resulted in a national level anti- Qadiani Movement.

It happened so that on 22 May 1974, the students of the Nishtar Medical College boarded a train to Peshawar for a tour. As the train stopped at Rabwah, a predominantly *Qadiani* town that housed the community's spiritual and organizational headquarters the students raised the slogans of *Khatm-i-Nubuwat Zindabad* [93] upon their return from Peshawar on 29th May, hundreds of *Qadiani*s armed with knives and sticks fell upon them, as a result, more that thirty students were injured.[94] The news of this event infuriated the Muslim Community throughout the country.

The provincial government of Punjab arrested some culprits and appointed Justice. K. M. A.

Samdani, a judge of the Lahore High Court to investigate the incident. The Chief Minister Punjab, Hanif Ramay appealed for calm. Violent demonstrations began soon and an organization dedicated to preserving the belief on the finality of Prophet Muhammad (Peace be upon him),

'*Tahaffuz-i- Khatm-i- Nubuwat'* was established which demanded the following things:

i. The *Qadiani*s should be declared as non- Muslim.
ii. *Qadiani*s must be removed from the government key posts.
iii. The Head of the *Qadiani* community Mirza Nasir Ahmed and culprits of Rabwa incidents should be arrested immediately.
iv. Rabwah should be declared an open city. [95]

Maulana Noorani who wanted to settle the *Qadiani* issue permanently started convincing the members in the parliament in this regard. After many weeks of hard work on 30 June 1974 Maulana Noorani presented a resolution in the National Assembly to declare *Qadiani*s as non-

Muslims through an amendment in the constitution. The resolution was signed by 37 members of

National Assembly belonging to both the opposition and treasury benches.[96]

The resolution gave a new momentum to the anti- Qadiani Movement which brought the Government under great pressure to declare *Qadiani*s as non- Muslims. Finally Bhutto agreed to discuss the issue in the House in camera.

From 30 June to 7 September, 1974 the National Assembly which was converted into a special committee, which further set up a steering committee to assist, had different sessions and finally after extended considerations passed the second amendment to the constitution on 7 September 1974.[97]

Clause (3) was added to article 260 explaining there under who was non- Muslim under the constitution. The new clause stated that, "a person who doesn't believe in the absolute and unqualified finality of the Prophet-hood of Prophet Muhammad (Peace be upon him) as the last Prophet or claim to be Prophet, in any sense of the word or of any description what-so-ever, after Muhammad (Peace be upon him) or recognizes such a claimant as a Prophet or a religious reformer, is not a Muslim for the purposes of the constitution or law".[98]

Article 106 was also amended to make mention of *Qadiani*s amongst the non- Muslim faiths described in the Article for the purpose of reservation of special seats for them. They were referred to as 'Persons of the *Qadiani* Group or the Lahori Group (who call themselves '*Ahmadis*').[99]

The constitution's (second amendment) bill thus successfully resolved an important issue which caused two nationwide movements of 1953 and 1974 resulting in the many losses of lives and valuable property.

Maulana Noorani gave credit of the success of this movement to the people of Pakistan particularly *Ulama* and students who kept it alive[100] but expressed his sadness that the government had not removed *Qadiani*s from the key posts and Rabwa had not been declared as an open city.[101]

Later on to counter the negative propaganda of *Qadiani*s against National Assembly decision and to inform the Muslim world about the historical decision of 7th September Maulana Noorani under the banner of WIM led a delegation of his party members to a world tour. The delegation visited Middle East, Africa, Europe, USA and North America.

Giving details of the tour Maulana Noorani claimed that 80 % centers run by *Qadiani*s all over the world had been closed and 35 countries had declared *Qadiani*s as non- Muslims.[102]

According to him as a result of National Assembly's decision round about 50000 *Qadiani*s embraced Islam.[103]

Although Maulana Noorani was elected Vice President of UDF in mid May 1975, yet the relation between UDF and JUP remained strained on the issue of the UDF decision to boycott the by-elections. "The (UDF) decision was based on the simple premise that as the government had been consistently manipulating the result of every by- election…. It was pointless to participate in them. Further … that boycotting these elections the results would be rendered meaningless and bereft of true elections legitimacy."[104]

Maulana Noorani and his party disagreed with the decision. He declared that to explain the opposition's point of view the only way of mass-contact was to participate in the by- elections as the government had enforced press censorship and section 144.[105] In fact it was JUP which had won the only by- election by the opposition during the Bhutto government and that was from

(Sindh) the home province of the Prime Minister. It gave great confidence not only to Maulana

Noorani but also to his party.[106] On 18th July Maulana Noorani resigned from his seat in the National Assembly on the directive of JUP parliamentary board and on 26th July, he was elected senator from Sindh.[107]
The Central Executive Committee of the JUP decided to contest the by-elections to the vacant seat of Maulana Noorani and called upon the UDF to revise its decision of the boycott of the by-elections.[108] According to Maulana Noorani UDF decision was not unanimous, "a decision", he said, "which was not unanimous, could not be forced upon the JUP".[109] He pointed out that UDF had allowed Bostan Ali Hoti to contest the Provincial Assembly seat from Karachi and questioned the contradiction in the UDF decision. He clarified that it was not the JUP flouting the UDF mandate and regulations but some other component parties within UDF.

He said that UDF had once taken a unanimous decision to launch a civil disobedience movement. The decision was drafted by the JI leaders (Maulana Muhammad Tufail and Prof. Ghafoor Ahmad) but later when *Majlis-i- Shura* of the JI decided otherwise, the *Jamaat* flouted the UDF decision and did not participate in the movement.

Maulana Noorani mentioned that contesting by- elections was a part of political and democratic process and JUP being majority party among the opposition in Sindh, had to continue the process to train its workers for the upcoming general elections in 1977.[110]

Despite all the persuasions of Maulana Noorani and his party, UDF in a meeting at Lahore on 29th July decided to continue its decision to boycott all by- elections.[111] Three member delegation of UDF met Maulana Noorani on 23rd August to try to heal the rift between UDF and JUP but in

vain.[112]

While addressing the election meeting of his party candidate Maulana Noorani criticized the government for raising the POL prices by 15% within 24 hours of OPEC decision to raise crude oil price by 10 %. He said that other economic policies of the government were similarly causing great hardship to the common man.[113]

He said that while people in certain areas of the country particularly Baluchistan, NWFP and Punjab had to fetch water from miles, the government was spending crores in luxury items. He also mentioned the failure of the government to close down night clubs and liquor shops on the one hand and unabated prices hike on the other.[114]

Introducing JUP candidate for the by- election, Maulana Noorani said that Haji Hanif Tayyeb was imprisoned during Anti-Qadiani Movement and got the party ticket on his past performance.[115] He also said that the failure of the PPP to put up an old worker in the by- election had also exposed the weakness of the ruling party.[116] The only party which supported JUP in the by-election was TI. JUP lost the by-elections due to non-cooperation of UDF parties which resulted its aloofness from UDF.

The National Assembly adopted the Fourth Constitution Amendment Bill on 14 November, 1975. According to it High courts were forbidden from prohibiting the making of an order for preventive detention of a person or to grant bail to anyone so detained. This was the major curtailment of constitutional jurisdiction of High Courts denying them jurisdiction to come to the aid of political victims or even grant such people bail during their detention.[117]

This amendment was passed in a very unfortunate manner members of opposition in the National Assembly wanted to have debate but were denied to avail the opportunity to speak and were physically thrown out of National Assembly by the security staff led by Sergeant At Arms. The amendment was thus passed in the absence of the opposition.

Maulana Noorani challenged the Fourth Amendment in a writ petition in Lahore High Court filed on his behalf by Ch. Rafiq Ahmed Bajwa Advocate and Muhammad Ismail Qureshi Advocate.[118] The way the fourth Amendment was introduced soon galvanized the opposition leaders. The UDF leaders announced boycott of the National Assembly proceedings, which was upheld by JUP. Later on Maulana Noorani attended the meeting of the heads of the opposition parties in Islamabad on 25th November which decided not to hold talks with the government in future and to resign from Assemblies at a later date if necessary.[119]

To mark the completion of four years of Bhutto's misrule, 19th December had been nominated as 'Black Day' by the opposition parties. Maulana Noorani along with Asghr Khan and Sher Baz Mazari tried to led a relay at Karachi's Katrak Hall. The government used the force and got them arrested. What happened on that day was described by Sardar Sherbaz Mazari:

> On the morning of the 19th December, we were informed that FSF and armed police had taken charge of all the routes leading to Katrak Hall, an area adjacent to the well known Empress Market. Asghar Khan, Maulana Noorani and I were forced to disembark from our vehicles near Empress Market as the police had blocked the road. A crowd of several thousand had already assembled there. We forced our way through the blockade on foot, as the sheer number of the crowd…which had become very enthusiastic upon our arriving on the scene… was too daunting for the police to handle. We walked few hundreds yards down the main road before turning right into the long alley which led to the Hall. When three of us entered the gates at the end of the alley, a large body of police made their sudden appearance. A DSP quickly took three of us in his custody as the rest of the police contingent charged the crowd following us in the alley, with their steal tipped lathis. The narrowness of the alley made their task all that much easier as the police had only to contend with those in the front. As those in the front fell to the blows of the police, others fled towards the rear, creating panic. Later I was informed they brutally cleared the alley all the way to the main road... Asghar Khan, Noorani and I were taken to the Soldier Bazaar police station and detained there. After a while an angry crowd swelled outside and police decided to release us before the situation got out of hand. [120]

Maulana Noorani emerged as one of the leading opposition politician who not only took a principal stand but also worked actively against the government highhandedness. His re- election to the position of the secretary-ship of the united opposition parliamentary party was an acknowledgement of this fact.

By mid 1976 Maulana Noorani started working for an alliance of the opposition parties against PPP.[121] As a main advocate of the general elections he demanded an interim national government for the supervision of free and fair election and succeeded in establishing an alliance with TI.[122]

A week before the announcement of the general elections by the government Maulana Noorani presided over a joint meeting of the central parliamentary board and *Majlis-i- Amla* of JUP to discuss the prevailing political condition of the country. The meeting declared that it was the need of the hour to forge a complete unity among the opposition for the democratic process under the prevailing political situation and to take part in the elections.[123]

NOTES

Chapter 2

[1] Niazi, *Betrayal*, 253.

[2] Ibid., 254.

[3] *Jang (Karachi),* 15 January 1972.

[4] Ibid. [5] Ibid.

[6] The daily newspapers under the national press trust were Morning News (Karachi), *Imroz, (Lahore and Multan)* and *Mashriq, (Karachi, Lahore and Peshawar)*. Other news papers and journalists who also faced Bhutto's onslaught were Z.A. Suleri the editor-in-chief of the Pakistan Times and Gen. (R) Habibullah Khan the chairman of National Press Trust were dismissed. Altaf Gauhar the editor of *Dawn* and Shorish Kashmiri of *Chatan* were arrested. The printer, editor and publisher of Urdu digest were banned and their editors sent to jail. The *Mehran* was banded. Weekly *Outlook* was forced into shutting down its publication, same was the case of the Daily *Sun*. Mazari, *Disillusionment*, 235.

[7] Ibid.,236.

[8] Jang (Karachi), 5 January 1972.

[9] For details see Mehrunnisa Ali, "Pakistan Withdrawal from the Commonwealth," *Pakistan Horizon* 25, no. 4 (Fourth Quarter, 1972) : 40-53.

[10] *Dawn (Karachi)*, 19 January 1972.

[11] Ahmad, *Jamiyyat*, 93.

[12] *Nawa-i-Waqat (Rawalpindi)*, 11 April, 1972. For State of Martial Law in Pakistan see R. W. M. Das, "The Grundnorm Again: Martial Law and Fundamental Rights in Pakistan," *The Cambridge Law Journal* 28, no.1, (April, 1970), 49-51.

[13] *Dawn (Karachi)*, 13 April 1972.

[14] Nawab of Mazari tribe and an independent MNA from Dera Ghazi Khan

[15] Z.A. Bhutto who wanted to be elected unopposed was not happy with this move of the opposition, finally got 104 votes and joint opposition candidate Sardar Sherbaz Khan Mazari got 38 votes.

[16] Mazari, Disillusionment, 254.

[17] *Dawn (Karachi)*, 15 April 1972

[18] The members of the committee included Muhammad Ali Kasuri (as Chairman), Maulana Shah Ahmed Noorani, Mumtaz Ali Bhutto, Ghulam Mustafa Jatoi, Abdul Hafeez Pirzada, Qaim Ali Shah, Mrs. Ashraf Khatoon, Ghulam Mustafa Khar, Ghulam Hussain, Begum Nasim Jahan, Mubashir Hassan, Malik Muhammad Akhtar, Malik Miraj Khalid, Maulana Kausar Nizai, Khurshid Hassan Mir, Sheikh Muhammad Rashid, Mufti Mahmood, Mir Ghous Bhaksh Khan Bazanjo, Amirzada Khan, Abdul Qayyum Khan, Muhammad Hanif Khan, Naimatullah Khan Shanwari, Ghafoor Ahmed, Sardar Shaukat Hayat Khan and Mian Mumtaz Muhmmad Khan Dolatana. For the brief biographical sketch of the Chairman of the committee see Muhammad Naeem, "MIAN MAHMUD ALI KASURI (1910-1987)," *Islamic Studies* 26, no. 3 (Autumn 1987) : 305.

[19] National Assembly of Pakistan (NAOP) Debates, Vol.1, No. 1(14 April 1972), 70-73.

[20] JUP Karachi, *Islami Jamhuria Pakistan kay Mustaql Dastur main Musalman ki Tarif kis Tarha Shamil Houi. (*Karachi: Shuba Nashar-o-Ashaat, n.d.). Private Collection, Maulana Jameel Ahmed Naeemi, Karachi, 6; NAOP Debates, Vol.1, No.2 (15 April, 1972), 123-25; Sadiq, *Noorani*, 59.

[21] Ibid., 147.

[22] For details see JUP Karachi, *Mustaql Dastur main Musalman ki Tarif*, 3-9.

[23] For detailed analysis of the Simla and the Tashkent Agreements with special reference to Kashmir see Zubeda Mustafa, "The Kashmir dispute and Simla Agreement," *Pakistan Horizon* 25, no.3 (Third Quarter, 1972), 38-52.

[24]*Nawa-i-Waqat (Rawalpindi)*, 11 July 1971. For comparison between the Simla and theTashkent Agreements see Mehrunnisa Ali, "The Simla and The Tashkent Agreements," *Pakistan Horizon* 25, no.3 (Third Quarter, 1972) : 53-74.

[25]*Dawn (Karachi)*, 18 November 1972.

[26] *Dawn (Karachi)*, 27 November 1972.

[27] Ibid.

[28] Interview Muhammad Khan Laghari.

[29] Ibid.

[30] Commonly known as Muhajirs/ Urdu speaking/ New Sindhis.

[31] *Outlook* ,15 July 1972,4. For the history of language controversy in Sindh see Muhammad Shafi, "Language Controversy in Sindh," *Pakistan Forum* 2, no. 11(August, 1972) : 9-19.

[32] *Nawa-i-Waqat (Karachi),* 10 July 1972.

[33] Mazari, *Disillusionment*, 261.

[34] Ibid.

[35] *Nawa-i-Waqat (Lahore*), 14 July 1972.

[36] *Dawn* (Karachi), 16 July 1972.

[37] *Pakistan Times (Rawalpindi),* 16 October 1972.

[38] Ibid.

[39] *Dawn* (Karachi), 7 August 1972.

[40] Mazari, *Disillusionment,* 280-81.

[41] For detailed study on this topic see Robert J. Barro and Rachel M. Mc Cleary, "Which Countries have State Religion?" *The Quarterly Journal of Economics* 120, no. 4 (Nov., 2005) : 1331-1370.

[42] Mazari, *Disillusionment*, 280-81.

[43] *Morning News (Karachi),* 24 October 1972. *The New Time (Rawalpindi)*, 24 October 1972.

[44] Ibid.

[45] Ibid.

[46] Ibid.

[47] *Pakistan Times (Rawalpindi)*, 31 January 1973. For details see Syed Alam, *Pehla T.V. Interview: Allama Shah Ahmed Noorani Siddiqui* (Karachi: Tajdar-i- Haram Publishing Company, n. d.), 1-18.

[48] *Dawn (Karachi),* 12 February 1973.

[49]*Nawa-i-Waqt (Rawalpindi),* 27 February 1973.

[50] *Dawn* (*Karachi*), 2 March 1973.

[51] "POLITICS OF UNITED DEMOCRATIC FRONT" TD, Private Collection, Maulana Muhammad Younas Noshahi,Hafizabad,1.

[52] Ibid.,1-2.

[53] Ibid.,2.

[54] Ibid.,3.

[55] Mazari, *Disillusionment*, 197-98.

[56] Ibid.

[57] *Morning News (Karachi)*, 16 April 1973.

[58] *Jassarat (Karachi)*, 31 October 1972.

[59] Khan. *History*, 57.

[60] Ibid., 77.

[61] Ibid.

[62] Sahibzada Faizul Hasan joined JUP after leaving Majlis-i- Ahrar and was elected as the President of JUP West Pakistan in 1955 after the adoption of 'One Unit Scheme' on 5 October 1955. While Maulana Noorani was elected as First(Senior Vice) President, Maulana Ghulam Meher Ali and Muhammad Yousaf as Vice-Presidents, and Mufti Muhammad Hussain Naeemi as Nazim-i- Ala of JUP West Pakistan respectively. *Nida-i- Ahl-i Sunnat*, August 2003, 15. Later on, after the dissolution of 'One Unit Scheme' and restoration of its separate provinces by CMLA Yahya Khan on 28 November 1969, Sahibzada Faizul Hasan declared himself as the President of JUP Punjab. While Mufti Ejaz Wali Khan challenged his President-ship and created his own group. The President of JUP Khawaja Qamar uddin Sialvi dissolved both the groups of JUP Punjab and appointed Maulana Abdus Sattar Khan Niazi as the convener of JUP Punjab. *Anwar-i-Raza (Mujahid-i-Millat Number),* November 2002, 157.

[63] *Pakistan Times (Rawalpindi*), 27- 29 March 1973.

[64] Government of Pakistan, *White Paper on the conduct of the General Elections in March 1977.* (Rawalpindi: Government of Pakistan,1978), Annexure 171,480.

[65] *Anwar-i-Raza* , November 2002, 157.

[66] He resigned in October 1972 from the President-ship of JUP because of his old age. *Zindagi,* 24-30 September 1973, 12.

[67] *Dawn (Karachi)*, 29 May 1973.

[68] *Pakistan Times (Rawalpindi),* 28 May 1973.

[69] *Jang (Karachi),* 30 May 1973.

[70] Ibid.

[71] Ibid.

[72] Ibid.

[73] Ibid.

[74] *Dawn (Karachi)*, 23 July 1973; *Morning News (Karachi)*, 23 July1973.

[75] Ibid.

[76] *Dawn (Karachi),* 31 July 1973.

[77] Mazari, *Disillusionment*, 317.

[78] *Dawn (Karachi)*, 15 August 1973.

[79] Mazari, *Disillusionment*, 320.

[80] Ibid.

[81] Ibid.; For the details of JUP role in UDF 'Civil Disobedience Campaign' see JUP Karachi, "Khabarnama" Handwritten Document, September 1973, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi, 2,5.

[82] *Dawn (Karachi)*, 25 August 1973.

[83] Ibid.

[84] Ibid., For the details of the flood relief work of JUP see JUP Karachi, "Khabarnama", 1,3.

[85] *Jassarat (Karachi)*,, 3 September 1973, *Dawn* (*Karachi*), 3 September 1973.

[86] *Nawa-i- Waqt (Rawalpindi)*, 17 September 1973.

[87] For Pakistan's role in Arab-Israel War see Saeeduddin Ahmad Dar, "The Ramzan War and Pakistan," *Pakistan Horizon* 29, no. 2 (Second Quarter, 1976) : 59-66.

[88] *Dawn (Karachi),* 15, 22 October 1973.

[89] Chapter I -Part III of the constitution desired that only Muslim would be entitled to become the President of Pakistan. At the time of assuming the office he was to take an oath and solemnly swear that he believed in the ideology and principles of Islam and was a devote Muslim. He was also to declare that he was having deep faith in the "unity and Oneness of Almighty Allah".

[90] WIM is an organization with an aim to propagate Islam throughout the world. For the brief history, aims, objectives and organizational structure of WIM see The World Islamic Mission, *Dastoor-i- Assas*(The World Islamic Mission : Bradford, 1974).

[91] Ibid., 1.

[92] *Zia-i-Harm (Tehreek-e- Khatm-e- Nubuwat Number),* December 1974, 31-32. For the Rabita-i-Aalam-i-Islami's Resolution see Muhammad Ahmed Tarazi, *Tehrik-i- Tahaffuz-i Khatam-i- Nabuwat: Syedna Siddiq-i-Akbar ta Allama Shah Ahmed Noorani* (Karachi: Ufaq Publications, 2009).448-50.

[93] Long Live the Finality of Holy Prophet (Peace be upon him).

[94] *Nawa-i- Waqt (Rawalpindi)*, 30 May 1974.

[95] *Zia-i-Harm*, December 1974, 31.

[96] For details see Tarazi, *Tehrik-i- Tahaffuz-i Khatam-i- Nabuwat*,513-4.

[97] Constitution Second Amendment Act, 1974 (Act XLIV of 1974) PLD 1974 Central Statutes 425.

[98] NAOP Debates, Vol.5, No. 39, 7 September 1974,560-561.

[99] Ibid.

[100] *Zia-i-Harm*, December 1974, 27.

[101] *Nawa-i- Waqat (Rawalpindi)*, 6 October 1974.

[102] *Nawa-i- Waqat (Rawalpindi)*, 23 April 1975; *Dawn (Karachi)*, 20 April 1975.

[103] Qaisar, *Aik Alam*, 37.

[104] Mazari, *Disillusionment*, 370.

[105] *Alfattah*, 3-10 October 1975, 6-7.

[106] Ibid.

[107] *Nawa-i- Waqat (Rawalpindi)*, 27 July 1975; *Dawn (Karachi)*, 19 July 1975.

[108] *Morning News (Karachi)*, 28 August, 1975.

[109] Ibid.

[110] Ibid.

[111] Mazari, *Disillusionment*, 378.

[112] Ibid.

[113] *Dawn (Karachi)*, 31 October 1975.

[114] Ibid.

[115] However after the defeat of JUP candidate, the decision of candidature remained a topic of debate in the party that in the presence of prominent *Ulama*, why a young student was given the party ticket. Shameem-ud- Din, *Yadon kay Diye:Sifar-e- Hijrat say Aiwan-e- Wazarat Tak 1950-1985* (Karachi: Pakistan Islamic Forum, n.d.), 220.

[116] *Dawn (Karachi)*, 31 October 1975.

[117] Khan, *Constitutional History*, 294.

[118] *Nawa-i- Waqat, (Rawalpindi)*, 12 December 1975.

[119] Khan, *Struggle*, 45.

[120] Mazari, *Disillusionment*, 394- 5.

[121] *Weekly Afrasia*, 7-13 May 1976, 32.

[122] *Dawn (Karachi)*, 18 June 1976.

[123] The meeting demanded the withdraw of Section 144, the release of all political prisoners, announcement of a clear plan for the solution of Kashmir and completion of government deal with France for atomic reprocessing plant without any fear. *Nawa-i- Waqat (Karachi)*, 1 January 1977.

Chapter 3
Tehrik-i Nizam-i Mustafa
1976-1977

To form a common front against the government a meeting of the leaders of the opposition parties was held on 30 October 1976 at Lahore. The newly formed National Democratic Party[1] (NDP) was the organizer of the meeting which was attended by Maulana Noorani President of *Jamait-i-Ulama-i-Pakistan* (JUP) along with Pir Pagaro President of Muslim League (ML),

Mufti Mahmood Head of *Jamiat-i- Ulama-i- Islam,* Mian Tufail Amir *Jammat-i-Islami*, Nawabzada Nasrullah Khan President of Pakistan Democratic Party. The NDP was represented by Sherbaz Mazari (President of NDP), Begum Wali Khan, Mehroz Akhtar and Barrister Zahoorul Haque. Air Marshal (R) Ashgar Khan President *Tehrik-i-Istaqlal* (TI) did not attend meeting.

The meeting decided to form an alliance based on the following points:

i. Restoration of democracy according to the 1973 constitution and annulment of all the arbitrary constitutional amendments which rendered it ineffectual.
ii. Supremacy and independence of judiciary.
iii. The withdrawal of the state of emergency and 'black laws' and other curbs on civil liberties.
iv. Economic, Social and Political justice. [2]

Maulana Noorani was of the view that without the presence of Ashgar Khan and his party the opposition alliance would be weakened, later on when Ashgar Khan refused to attend another meeting of the opposition alliance it was decided to send a team to persuade him to join the

alliance.[3]

On 22nd November a meeting took place at Abbotabad between the opposition delegation consisted of Maulana Noorani, Sardar Sherbaz Mazari, Prof, Ghafoor Ahmed, Khawaja Safdar and Asghar Khan.[4]

During the talks Asghar Khan insisted on 'practical politics' and put the condition of joining alliance if the seats to be contested in the next elections were allocated among the various parties in advance. Asghar Khan demanded that TI and JUP be given sixty percent of all the seats contested by the alliance in the next general elections.[5]

It was decided to continue discussion on 4th December at Karachi, while Prof. Ghafoor Ahmed, the Secretary General of the UDF was given a task to prepare a paper suggesting the basis of the opposition parties' cooperation and the outline of the proposed agreement.[6]

A meeting was held at Maulana Noorani's house on 4th December attended by Pir Pagaro, Sardar Sherbaz Mazari, Asghar Khan and by the host Maulana Noorani. Prof. Ghafoor Ahmed did not attend the meeting. The meeting discussed the possibilities of cooperation among the opposition in the event of an electoral contest. Sardar Sherbaz Mazari was not in favor of contesting election and informed the meeting that his party (NDP) would not contest the elections due to the imprisonment of the banned NAP leaders and the military action against their supporters in Baluchistan, while Pir of Pagaro pointed out that he was not willing to discuss the mechanics of elections as UDF had not yet decided to take part in the elections.[7]

Maulana Noorani and Asghar Khan had similar views to take part in the general elections. The meeting failed to achieve joint electoral cooperation but brought JUP and TI more close to each other. Both the parties decided to explore the possibilities of putting up joint candidates.

Later on after few days on 8th December Asghar Khan addressed a later to the Secretary

General of the UDF Prof. Ghafoor Ahmed:

> … I explained that time was running out and that elections could be announced at any time. I also expressed the opinion that the time permitted for the filling of nomination papers was likely to be very short, which would not allows us sufficient opportunity for an exchange of views and the completion of the numerous formalities so necessary for securing co-ordination among the various elements of the opposition. I suggested that whilst maintaining our separate stand on the desirability of participating in the election, which are well known, could still work out a formula for cooperation in the event of circumstances changing and your deciding to participate. I also candidly explained that we were insisting that UDF should participate in the elections because the TI and JUP would in any case be in the field and would have the support and prayers of all those, including the well-wishers of the UDF, who wished to see the regime changed. It was only that we were anxious to avoid the contest with the other elements of the opposition and were therefore suggesting that you should at least discuss the area of cooperation in a possible election or alternatively give us an assurance that the UDF would remain out of the contest so that we could plan to take on the ruling party single- handedly, a situation that we would welcome. I also explained that any late decision on your part to participate without prior understanding would almost certainly render impossible any co-ordination for a joint effort in the elections and would pit us against each other in this contest. [8]

The National Assembly passed the Peoples' Representation Bill on 17 December 1976. A three member Election Commission (EC) headed by Mr. Justice Sajjad Ahmed Jan a retired judge of Supreme Court was appointed. They were given the task of conducting elections and preparing the ground rule for it. Two days later government announced to give all government owned land to landless tillers.[9] Taking the measures of the government as indication of early election the parliamentary boards of the JUP and TI held a joint meeting at Lahore on 25th December. It was decided that both the parties should complete their survey of candidates for up coming possible elections. By this time UDF also decided to participate in the elections.[10]

Under the constitution of 1973 the general elections were due after five years on 14 August 1978 and they could have been further postponed for another year. However on 7 January 1977 Prime Minister Z. A. Bhutto advised the President Ch. Fazal Ilahi to dissolve the National Assembly on 10th January. The election commission appointed 7 and 10th March as the polling dates respectively for elections to the national and four provincial assemblies.

The announcement of the election had a positive effect on the opposition parties. The divided opposition soon realized that only by uniting against Bhutto they would have a chance of success in the general elections. According to Maulana Noorani just after the announcement of general elections by the Prime Minister, he contacted the opposition leaders to chalk out the future plan.

The next day the opposition leaders met on the lawns of MNAs hostel. According to Maulana Noorani "a *shamiana* (tent) was put up in the lawns and no one knew what was happening. Some thought it was a marriage party or some other function. The intelligence people had no inkling of our meeting."[11]

For the next meeting it was decided to meet at JUP's office at Lahore on 10 January 1977. Later on when intelligence agencies came to know about the Lahore meeting the venue was shifted to Rafiq Ahmed Bajwa's (Vice President of JUP) residence. In the meeting a formula for the allocation of seats to different parties was also worked out. After a heated debate it was decided that TI and JUP would have 36 percent of the national and provincial assembly seats.

And of this, TI's share would be 19 percent and JUP's share would be 17 percent. The remaining 64 percent of the seats would be divided amongst other parties of the alliance.[12] According to Maulana Noorani 'to end possibility of any rift in the future', it was necessary to decide the seats allocation. Finally on the suggestion of Maulana Noorani the nine party alliance was named as Pakistan National Alliance and its formation was publicly announced on 10th January.[13] The parties comprising the PNA were: Maulana Shah Ahmed *Noorani's Jamiat-i-Ulama-i- Pakistan* (JUP), Air Marshal(R) Asghar Khan's *Tehrik-i-Istiqlal* (TI), Maulana Mufti Mahmood's *Jamiati-Ulama-i-Islam* (JUI), Pir Pagaro's Pakistan Muslim League (PML), Main Tufail Muhammad's *Jamaat-i-Islami* (JI), Sardar Sherbaz Mazari's National Democratic Party (NDP), Nawabazada Nassrullah Khan's Pakistan Democratic Party (PDP), Khan Muhammad Ashraf Khan's Khaksar Tehrik (KT), and Sardar Abdul Qayyum's Azad Jammu and Kashmir Muslim Conference

(AKJMC).

The JUP, JUI and JI were the rightist fundamentalist parties; the PML and PDP were centrists; the TI was left to the centre; and the NDP was leftist in orientation. These were the parties which really matter. The PNA was thus representing "almost the entire spectrum of current political thinking and ideological orientation in the country".[14]

According to Sharif al-Mujahid the three most baffling problems confronting the PNA were:

i. How to remain united at least during and after the election campaign;
ii. How to resolve problems of filling top PNA offices;
iii. How to draw up a coherent compromise plank which would on the one hand, satisfy rather disparate view points within the alliance and still on the other hand have enough appeal for voters. [15]

To decide the leadership of the Alliance a meeting of the head of all the components parties of the PNA was held on 15th January. The Muslim Leaguers were keen to see Pir Pagaro as the President of the Alliance while the other parties of the UDF were in favor of Mufti Mahmood whose name was suggested by Ashraf Khan leader of KT seconded by Sardar Sikandar Hayat Khan of AKMC. Sardar Sherbaz Mazari and Pir Pagaro also favored the nomination of Maulana Mufti Mahmood (JUI). Maulana Noorani however objected to this nomination on the ground that since the leader of JUI opposed the Pakistan Movement Mufti Mahmood[16] should not be elected as the head of PNA. Instead the name of Asghar Khan was proposed by him who was seconded by the Amir of JI.[17]

"Surprisingly enough, the claims and counter claims for offices were somehow amicably settled."[18] Mufti Mahmood and Rafiq Ahmed Bajwa (JUP) were unanimously elected as president and Secretary General respectively. Nawabzada Nasrullah Khan (PDP) was elected vice president. Pir Pagaro (PML) became the chairman of the Parliamentary Board for the allocation of seats. The PNA decided to boycott election in Baluchistan on the forceful demand of NDP to protest against the army action in the province. A nine star green flag, representing the nine component parties of the alliance was adopted as the party flag and plough was adopted as its election symbol.[19]

The first sign of the government's pre-pole rigging became publicly evident when Maulana

Jan Muhammad Abbasi, the PNA candidate who went to file his nomination papers to oppose Bhutto was kidnapped by the local police and the district administration thus prevented him filing his nomination papers. A host of the PPP leaders opted to similar ways to get themselves elected unopposed.

Maulana Noorani protested against this state of affairs and demanded the Provincial Election Commissioners and staff placed at their disposal to be suspended for having failed to discharge their duties despite repeated complaints.[20]

He also demanded that Chief Election Commissioner should arrange police protection for the persons desirous of appearing before the Commission or arrangements be made through Provincial Election Commissions to ascertain the facts by visiting every complainant at his home address.[21]
The PNA began its election campaign by a public meeting at Nishtar Park in Karachi on 23rd January. Maulana Noorani, Sherbaz Mazari, Mian Tufail Muhammad and Asghar Khan

addressed a large gathering. Maulana Noorani in his speech termed the coming elections straight fight between the right and the wrong, he said that if the former came victorious Islamic system would prevail in country.[22]

During the election campaign Maulana Noorani highlighted the issues of staggering price hike, failure of foreign policy increase in the administrative expenditures, PPP's rule as a regime of terror and the gross mismanagement of the country's resources resulting in a mounting national debt, Bhutto being the one responsible for the dismemberment of Pakistan by his refusal to accept the freely expressed will of the people and by advising Gen. Yahya Khan to launch an army action in East Pakistan.[23]

While addressing election meetings at various places in Bhakar district Maulana Noorani said that socialism and secularism would meet their natural end if PNA was voted to power. He declared that PNA would end black laws soon after coming to power. He announced that the unIslamic practices prevailing in the society would be wiped out through an ordinance within one month of the assumption of power by PNA.[24]

Addressing 'meet-the-press' program at Hyderabad press club Maulana Noorani said if the alliance was voted to power the Pakistan Penal Code (PPC) would be scrapped and replaced by the Muslim Criminal Law as enunciated by the Quran and Sunnah. Answering questions Maulana Noorani said that the economic policies would be so devised as to do away with interest based banking.[25]

Maulana Noorani categorically rejected the idea that PNA would create more than four provinces in the country. He also said that he did not approve of an Urdu Province in the country according to him Urdu (speaking people) did not stand in need of any separate province. In reply to a question Maulana Noorani expressed his disapproval of the agrarian policy of the government adding that Islam did not approve of snatching anybody's private property.[26]

The PNA campaign proceeded with great success. People followed rallies in ever increasing numbers, the long years of censorship and the suppression of any attempts by the opposition to address the public had backfired. Addressing a public meeting at Wah-Cannt Maulana Noorani declared that the PNA would enforce Nizam-i- Mustafa in the country as Pakistan came into being in the name of Islam.[27]

So massive was the turnout at PNA meetings that Maulana Noorani while addressing a public meeting at Hyderabad claimed that people from Karachi to Khyber had already given their verdict in favor of the PNA so Prime Minister should hand over power to them.[28]

The term of 'Nizam-i- Mustafa' coined by JUP became so popular among the masses that it was adopted by PNA for its election campaign because it represented a 'simple and popular view of Islam' which had a greater appeal for the common man.[29]

The PPP formally launched its election campaign on 23rd January from a public meeting in Liaqat Bagh, Rawalpindi addressed by Bhutto who claimed public support that based on his fiveyear performance in office which included positive achievements in both domestic and foreign affairs. He was of the view that he and his party was entitled to a fresh mandate from the people not only to consolidate the already achieved gains but also to complete some of the unfinished tasks of building a more prosperous and glorious Pakistan. The next day the PPP manifesto was made public highlighting the above-mentioned claims of PPP chairman.[30]

On the other hand, the PNA manifesto which was announced on 8th February promised to enforce Islamic Shariat in the country. It highlighted high handedness of Bhutto regime by dismantling the democratic institutions, the curtailments of the power of judiciary, the denial of civil rights, press

curbs, the abuses of power, the failure of the government 'reforms', high prices and unemployment in the country.[31]

Most of the PNA candidates for the elections belong to middle-class with strong affiliation with the opposition. They were drawn from amongst the opposition parties, Ex-MNAs and MPAs, lawyers, *Ulama*, former student leaders and dedicated party workers. On the contrary the PPP issued party tickets mostly to the members of either feudal or the wealthy or the business or the industrial or political influential families or the new comers simply because they were considered as wining candidates.[32]

A week before the elections on 28th February, PNA gave a call for strike in protest against sharply increasing incidence of violence against its workers and supporters. The strike was very successful in the major cities of Pakistan. The PNA also alleged the government for misusing the state apparatus, and administration machinery for 'unfair practices' and threatened to launch a nationwide movement in case of rigging in elections.[33]

The opposition apprehensions were right as later on it became evident that Bhutto wanted a victory in the election with a consideration "that Pakistan might be better served by a presidential than a parliamentary system"[34] and to obtain his cherished goal he needed a two third majority in the National Assembly to amend the constitution. [35]

In the 1970 election, the PPP had won only 38.89 percent of the total vote in the four provinces of West Pakistan. It must be remembered that all the other parties had actively campaigned against one and other but in 1977 the situation was different as all major political parties were united against Bhutto. This unity of PNA was its real strength as all PNA leaders willingly submerged their partisan differences without relinquishing their separate party

affiliations.[36]

The results in balloting for the National Assembly on 7 March 1977 astonished nearly everyone, the PPP had won a landslide 'victory' of 155 seats in all leaving only 36 to the PNA , only one to Qayyum Muslim League and 8 reserved for independent tribal representatives. The PPP Scored 58.1 percent as against PNA 35.1 percent of the total vote cast. PNA only scored 8 out of 116 seats in Punjab, 11 out of 43 in Sindh, and 17 out of 34 in NWFP. Maulana Noorani who was contesting a seat of National Assembly from Hyderabad was declared elected.

The PNA leadership refused to accept the results. They charged that the election was fraudulent and there had been a systematic plan to deny them their victory. There were reports of massive rigging in all the provinces. The polling stations were alleged to have been closed for hours, multiple voting, forged ballot papers, illegal stuffing of boxes, armed gang raids on the polling stations, and high incidences of rejected votes were reported by the independent observers.[37]

On 8th March Asghar Khan in a press conference in Rawalpindi announced the PNA decision to boycott the Provincial Assembly Elections scheduled for 10th March. In Karachi, at a joint press conference addressed by Maulana Noorani, Prof. Ghafoor Ahmed and Sardar Sherbaz

Mazari affirmed that the boycott decision enjoyed the support of all component parties of the PNA.[38]

On 8-9th March the PNA central committee meeting was held at Lahore. It was unanimously decided that all successful PNA candidates would resign their seats forthwith; the PNA would boycott the PA's elections scheduled for 10th March; and a call would be made for a nationwide

strike on 11th March, as a protest against rigging of the election by government.[39]

Bhutto in his televised press conference dismissed the charges of massive rigging in elections and asserted that if the people felt cheated by the election results, they would take to streets to show their resentment.[40]

The boycott of the provincial elections was a complete success and the polling stations on that day presented a deserted look. The general strike called by PNA for 11th March was also extremely successful. Public demonstrations took place in all major cities and town of Pakistan. The General Council of the PNA gathered at a meeting held at Lahore and resolved to continue with the agitation from 14th March unless:

i. Elections were annulled.

ii. The Chief Election Commissioner removed from his office; and

iii. The Prime Minister resigned.[41]

Various leaders were assigned the tasks of leading the protest rallies in the different part of the country. Maulana Noorani was to lead the movement in Hyderabad. While all the PNA leadership remained busy in recording protest against rigging. Rafiq Ahmed Bajwa, the JUP Vice-President and Secretary General of the PNA had met Bhutto secretly on 13th March. The central committee meeting of the PNA on 15th March removed Rafiq Ahmed Bajwa from his post and Ghafoor Ahmed of the JI was appointed as the Secretary General of the Alliance.[42] Maulana Noorani took a strong action and expelled Bajwa from the JUP as well because he (Bajwa) maintained that he had met Bhutto in his capacity as the Vice-President of the JUP and not as the Secretary General of the PNA[43] Bajwa who rose to national prominence during the election campaign of PNA expressed his regret on his meeting with Bhutto and asked Maulana Noorani to be excused. Maulana Noorani told him that he (Maulana Noorani) could sacrifice an individual (Rafiq Ahmed Bajwa) but could not sacrifice the party (JUP).[44]

The PNA's campaign of public protest continued without a rest. The leadership of PNA once more rejected Bhutto's offer of talks.[45] On 18th March Maulana Noorani and a number of other PNA leaders were detained. Maulana Noorani was first taken to Karachi Central Jail and then a few days later shifted to Sukkur Jail.[46]

As the leadership of PNA was detained, it was replaced by others who had been earmarked to take their place. Defiance of the law resulted in deaths and casualties every day. On 19th March in Karachi violent rioting started and army had to be called in a large section of the city- Sher Shah, Golimar, Landhi, Korangi, Orangi, Nazimabad, Mangho Pir, Federal B. Area, Liaqatabad New Karachi, etc- were placed under immediate curfew. The unrest also spread to the province of Punjab. There were violent demonstration against the rigging of the election in the major cities and smaller towns of the province. On 20th March, thirty people were killed by police firing in Karachi alone.[47]
The next day Bhutto wrote third letter to Mufti Mahmood reiterating his willingness to discussion related to electoral process while remaining within the 'constitutional limits'.[48] In reply Mufti Mahmood insisted that he was unable to respond to the discussion until he conferred with the jailed leadership of PNA. Maulana Noorani and other PNA leaders were released from
Sukkar Jail to attend a PNA general council meeting called to discuss Bhutto's offer of talks. The next day PNA leadership met at Muslim League House in Lahore. After some deliberation the PNA high command resolved to its previous stand that discussion could only take place once fresh elections were held under the independent supervision of the army and judiciary.[49]

On March 24th Maulana Noorani Mufti Mahmood and Malik Qasim led a procession from outside the Nila Gumbad Mosque defying Section 144. To check the tide of the widely spreading agitation by the end of the third week of March, nearly all the top leaders of PNA had been taken into custody. Maulana Noorani was also re-arrested and taken to Sukkur Jail. In his message to the people from jail he appealed to give every sacrifice for the cause and enforcement of *Nizami-Mustafa*.[50] Similarly the movement got new momentum as

> …the slogan that inspired the processionists to face the police lathis or even bullets was the establishment of *Nizam-i- Mustafa*. This was a powerful symbol because it combined the religion of Islam and the personality of Prophet Muhammad (Peace be upon him). Devotion of Islam was there, but the love of the Prophet's personality inspired for the common man was perhaps even more electrifying…, it was a 'miracle' that could not be explained by reason or logic. People who did not strictly follow Islam advanced to face bullets in the name of 'Nizam-e-Mustafa'.[51]

On 31st March, in connection with *Nizam-i-Mustafa* Movement a number of *Ulama* addressed the congregation after prayers at the Ek Minar Mosque, Lahori Gate. To stop people from taking out a procession police *lathi*-charged the crowd and violated the sanctity of the mosque by entering the mosque with their boots which was considered sacrilegious. Police manhandled even those in the act of praying or preparing for prayers, which left many with severe injuries.[52]
This incident built up widespread hatred against the government. It gave *Ulama* and *Khatibs* an opportunity to condemn Bhutto's government as anti-religious.[53] Rather than fade, the PNA's activities carried over undiminished into April. Rallies and processions mostly broken down into hit and run attacks on the police. Procession of women marches became a common sight and students angered over the continued closure of educational institutions mounted their own demonstrations. However, no incident more galvanized popular feelings against the Bhutto regime than the handling of demonstrations in Lahore on 9th April which proved to the turning point of the movement against Bhutto. On this day, protest demonstrations were held at Lahore and a number of processions had planned to converge on the Provincial Assembly building where the PPP members who had been 'elected' to the Punjab Assembly were to take oath. The government was determined to stop these processions. However the main procession managed to get in the vicinity of the Assembly building. They were alternately batten-charged, tear-gassed and shot. In the end over thirty protesters were killed and about 250 wounded. This incident fuelled a sense of outrage throughout the country.[54]

By early April several PPP members of the National Assembly and Provincial Assembly resigned from their seats. The PPP's General Secretary, Mubashir Hasan, a founding member, stepped down while Gen. (R) Gul Hasan and Air Marshal (R) Rahim Khan Ambassadors of Greece and Spain, jointly resigned and demanded Gen. Zia, the Army Chief to decline from accepting 'illegal and undemocratic' orders from a fascist Bhutto. Similarly prominent *Ulama* and *Mashaikh* of *Ahl-e-Sunnat-wa-Jammat* issued fatwa in support of the *Nizam-i-Mustafa*

Movement declaring it jihad and those killed by the police firing as martyrs.[55]

On April 15th Bhutto endorsed a formula for resolving the deadlock advanced by his Attorney-General, Yahya Bakhtiar. The formula suggested fresh elections to the four provincial assemblies with the stipulation that if the opposition won a majority of seats, the Prime Minister would then advise the President to dissolve the National Assembly and order fresh elections. The

PNA leadership however rejected the formula and reiterated its demand for the resignation of Prime Minister and the Chief Election Commissioner before dialogue could be held.[56]

On 17th April, in the boldest attempt to capture the opposition's thunder Bhutto not only invited Maulana Noorani, Mufti Mahmood and Maulana Maududi to join his Advisory Council for the implementation of the Shariat but also announced Islamic measures which included ban on liquor sale and consumption, gambling in all forms including horse racing, night clubs and bars were closed down and Friday replaced Sunday as holiday.[57]

Bhutto reaffirmed his faith in Islam and his determination to introduce a complete Islamic order in Pakistan. He promised to enforce Shariat laws within a period of six months if the proposed Advisory Council completed the work by that time. As PNA leadership considered these protestations about Islamic transformation solely to side track the main issue of re-election therefore no one took the Prime Minister's offer seriously.[58]

Sensing failure, Bhutto had another card to play and that was to start a counter- movement. In this regard he helped his supporters by lifting Section 144. "With the police now playing a more passive role, PPP gang took up the battle against the PNA in the streets and the civil war seemed imminent."[59]

A nationwide strike call on 21st April by twenty-five unions was a great success. PNA called for a general strike the following day. Though government imposed Martial Law in Karachi, Hyderabad and Lahore on 21 and 22nd April disturbances continued resulting in twenty-five killings in different parts of the country.[60]

On 25th April Asghar Khan wrote an open letter to the chief of staff and other officers of the armed forces during his detention in Kot Lakhpat Jail. The letter was written to remind the armed forces that they were under oath to obey the 'lawful commands to their superior officer'.[61] In this letter he wrote:

> …. Bhutto has violated the constitution and is guilty of a grave crime against the people. It is not your duty to support his illegal crime nor you can be called upon to kill your own people … shooting by the army in Karachi on an unarmed crowd is unpardonable … as men of honor it is your responsibility to do your duty, and the call of duty in these trying circumstances is not the blind obedience of unlawful commands. [62]

Contrary to the scenario envisioned by PNA the military chief had concluded that it was their duty as well as their own best interest to side with the government.[63] To recapture public esteem and gain leverage for a political settlement Bhutto tried once again to bring the PNA leadership to the conference table. The joint opposition leaders were brought together at a rest house in Sihala, (some miles from Rawalpindi) on 27th April.

On 28th April Saudi envoy Sheikh Raizal-Khatib visited Sihala and met the PNA leadership and asked them to reach the settlement with Bhutto without demanding fresh elections. He made several visits in an attempt to achieve this aim. Maulana Noorani who had no acquaintance with the Saudi Ambassador before was once informed by Mr. Khatib that it was in the knowledge of Royal Saudi family and the Saudi Government that he (Maulana Noorani) was against monarchy.[64]

Foreign Ministers of United Arab Emirates and Libya also tried to play their role in reaching PNA-Government settlement. On 28th April Bhutto made an emotional speech before National Assembly in which he declared that the opposition movement had been from the outset a wellfinanced international conspiracy. He alleged that the US and others had tried to unseat him for his past

independence in foreign policy and present determination to go ahead with the nuclear reprocessing plant.

The incident which caused a temporary setback to the movement and made the PNA leadership and followers upset was the announcement of 'long march' to Rawalpindi by the acting president of the PNA Pir Pagaro, who had not been imprisoned. A large number of people from all over the country managed to reach Rawalpindi despite police blockades en-route. On the evening of the march Pir Pagaro decided to stay at the Continental Hotel and was confined to his hotel room where Bhutto called on him. The following day their photograph appeared in newspapers causing bewilderment among the gathered PNA protesters.[65]

Bhutto had a number of meetings with PNA President Mufti Mahmood in the Combined Military Hospital (CMH) at Rawalpindi and Sihala during his stay with other PNA leaders there (Sihala). When Bhutto visited Sihala for the first time on 3rd May to have discussion with the PNA leadership, as no one wanted to meet Bhutto so Mufti Mahmood was selected to represent them. The meeting between Bhutto and Mufti Mahmood was lasted for an hour and a half in which Director General ISI , Gen. Ghulam Jillini, who was brought by Bhutto with him, briefed PNA President, with the aid of map, about the military threat to Pakistan from its neighboring countries-India, Iran and Afghanistan. At the end of the lengthy briefing Bhutto asked for the settlement from PNA with the government in the interest of national security. In reply Mufti Mahmood asked for fresh elections.[66]

On 5th May Pir Pagaro at a press conference made public the demands of PNA which included:

i. The immediate lifting of emergency, martial law, the section 144 of the code of criminal procedure.
ii. The release of all political prisoners.
iii. Dissolution of special courts and tribunals. iv. Removal of press curbs.
v. Dissolution of National and Provincial Assemblies not later than 7 days after an agreement was reached.
vi. The appointment of new Election Commissioner with the mutual consent. vii. Appointment of all governors of all four provinces with mutual consent.
viii. Changes in certain key appointments with mutual agreement to ensure free and fair polls.[67]

Bhutto in reply of these demands asked the PNA leaders to stop issuing calls for further demonstrations and reduce their demands if they were really interested in a meaningful dialogue with the government. Bhutto had several meetings with Mufti Mahmood and these meeting failed as PNA stick to its basic three demands. A general impression formed by Bhutto and his colleagues about PNA leadership was that Maulana Noorani of JUP, Asghar Khan of TI and Sherbaz Mazari of NDP were the hardliners.[68]

PNA talks with Bhutto were making no progress because Bhutto was not willing to call for new elections. Mufti Mahmood in a latter addressed to Bhutto informed him that the talks between them were getting nowhere and there was no point of continuing talks with them.[69]

On 13th May Bhutto addressed National Assembly and the nation on TV and Radio. He read out Mufti Mahmood's latter. He rejected opposition demands and said that in the prevailing conditions fresh election to National Assembly would be disastrous for the nation because of the threat of foreign intervention and grave internal problems.[70] He announced his plan to hold a referendum on his continuance in power. He proposed that a joint session of parliament would pass a temporary amendment to the constitution to provide for a referendum, accordingly the seventh amendment to the constitution was passed and became effective on 16 May 1977.[71]

After PNA rejection of dialogue the alliance leaders were sent back to various prisons, with the 'hardliners'[72] getting the worst of the deal.[73] Mufti Mahmood was kept at Sihala, Asghar

Khan was detained to Sahiwal Jail, Sherbaz Mazari to Mianwali and Maulana Noorani to Ghari Kharo situated at Baluchistan- Sindh border where he was kept in solitary confinement.[74]

As the temperature at Ghari Khero in summer often soar above 50 centigrade, it would seem that Maulana Noorani had been 'chosen' for special treatment. The re-imprisonment of the PNA leaders and the way they (particularly Maulana Noorani) were treated gave a new momentum to the movement. Now Multan emerged as the center of the PNA movement led by Maulana Hamid Ali Khan, "a charismatic leader belonging to the JUP"[75] due to the serious disturbances, Multan was handed over to the army.

On 17th May the Saudi ambassador Sheikh Riaz al Khatib had called on Mufti Mahmood asking him to reach an agreement with Bhutto. The following day Bhutto and his advisors met Mufti Mahmood and Nawabzada Nasrullah Khan, at the meeting Bhutto showed his willingness to hold a new election and invited PNA to talk. In the meanwhile Sardar Qayyum was released, who met Bhutto and Mufti Mahmood and was sent off by Bhutto in a special plane to visit other detained PNA leaders to convince them for negotiation with the government.[76]

Sardar Qayyum met Maulana Noorani at the rest house where he was shifted from the police lockup in Gharhi Khero. According to Maulana Noorani, Sardar Qayyum told him that Bhutto desired that negotiations should be held and it would be better for all if any settlement was reached.[77] Maulana Noorani told Sardar Qayyum that an acceptable agreement should be reached through negotiations. The accord, Maulana Noorani told him (Sardar Qayyum), could not be reached at the cost of principles, nor could the negotiations be held if the excesses on the leaders continued.[78]
Maulana Noorani also told Sardar Qayyum that so far he (Maulana Noorani) was concerned, the negotiations should be held. But there should be an agenda for the talks, besides the agenda, Maulana Noorani demanded Bhutto's admission that polls were rigged and that the fresh elections would be held. As for the dates of these polls were concerned Maulana Noorani was of the view that these could be decided by the negotiation teams but date for elections should be fixed within four months.[79]

Sardar Qayyum met with other PNA leaders, detained in different cities of Pakistan. He completed his tour on 25th May. In the meantime, negotiations had been going on between Mufti Mahmood, Nassrullah Khan and Bhutto. To complete the PNA negotiating team Ghafoor Ahmed was also brought to Sihala. "Mufti Mahmood and Nassrullah Khan had virtually dropped the demand for

Bhutto's resignation and a three-man PNA negotiation team had already been 'preselected', after Bhutto's rejection to the presence of the 'hardliners' into account ."[80]

Maulana Noorani who was shifted from Gharhi Khero police lockup to Khairpur District Jail in his message reassured people that PNA leadership would not betray the sacrifices of the people for the establishment of *Nizam-i- Mustafa*. He said that the PNA had only yet made another effort for a negotiated settlement of the political crises but could not yet advise people to be optimistic. He informed people about the fresh wave of arrests started by the government ever since the talk offer was made.[81]

Except for Maulana Noorani and Asghar Khan all other PNA leaders were released from prisons, the first session of the negotiation were held on 3rd June, by delaying the release of Maulana Noorani and Asghar khan and choosing three- members negotiation team Bhutto tried to create a rift among the PNA leadership on the question of representing PNA at the negotiation table.[82] On his release on 4th June Maulana Noorani while addressing a press conference emphasized that the people must have confidence and faith in the PNA leadership. He also demanded the release of all arrested PNA workers and stressed that he was not over optimistic about the outcome of the talks.[83]

It was decided by the PNA leadership that the negotiation team had no authority to accept any term or condition of the proposed settlement without prior approval of the general council. The start of the negotiations between the PNA and the government was welcomed by the general public who gave great sacrifices for the movement. On 15th June after several sessions of the talks both sides agreed upon the following terms:

i. Fresh elections would be held soon (the date was not been yet agreed upon);
ii. The army would be withdrawn from Baluchistan;
iii. All special tribunals would be shut down (with particular reference to Hyderabad conspiracy case).All political prisoners would be released;
iv. All constitutional amendments in the contravention of the basic human rights would be rendered null and void;
v. All censorship of the press would be stopped;
vi. Equal time would be provided to PPP and the PNA on television and radio;
vii. The state of emergency would be lifted on the day agreement was signed. [84]

To ensure a free and fair election a ten-member implementation council, with five members from each side, was decided to be established. It was also decided that agreement would be signed by Bhutto and Mufti Mahmood, by 20 June 1977 and the job to make the final draft of the agreement was assigned to Prof. Ghafoor Ahmed and Hafeez Pirzada.[85] This was an oral agreement, in the meanwhile the government had started announcing on TV and Radio that accord had been reached. As many details of the agreement were yet to be worked out. Maulana Noorani in a statement issued to the press asked public not to be misled by the announcements made on TV and Radio which were according to him making confusion in the minds of the people. He told them not to be optimistic about the agreement and urged them to organize themselves for the movement of *Nizam-i-Mustafa* until details of the agreements were worked out and it was signed.[86]

Without prior notice to the PNA, Bhutto proceeded on a six day tour to Libya, Iran, Afghanistan, Saudi Arabia and Kuwait. In his absence Hafiz Pirzada and Prof. Ghafoor Ahmed made no progress in their mission while PNA legal advisers in the meantime pointed out an important flaw on the proposed agreement. They were of the view that there was an absence of legal protection in the event Bhutto decided to back out of his commitments so the terms of accord must be provided with some form of constitutional protection.[87]

The PNA team now prepared a revised draft agreement including additional specifics about constitutions status, composition, authority and power of the proposed Implementation Council and presented it to the Bhutto upon his return to Pakistan on 23rd June.

At next meeting on 25th June Bhutto presented PNA team with an alternate agreement drafted by his party (PPP). The PNA General Council in its meeting decided after a heated debate to make some changes in its earlier drafts as "Bhutto had serious objection over the proposed Implementation Council being given the power of a super-government."[88]
The PNA General Council approved the new amended draft agreement on 27th June and authorized Mufti Mahmood to sign the agreement with the Prime Minister if he accept it but instead of any changes he might suggest, how so ever inconsequential, must be brought back to PNA council.

Mufti Mahmood and Bhutto had meetings on 29 June and 1st July in which the PNA draft was discussed. The last session of the negotiation lasted for more than ten hours. Both sides made concession and as a result, the PNA's final draft had undergone some change. The main provisions of this agreement were as follows:

i. Dissolution of the assemblies elected on 7 and 10 March 1977 on 15th July; new elections to the National and Provincial Assemblies would be held on 8 and 10th October respectively.
ii. The holding of the free and fair elections would be insured by an Implementation Council comprised equally of the government and of PNA representatives, chaired by the Prime Minister and by Mufti Mahmood in his absence. The proposed council would:
    a. Exercise the power of the President of Pakistan and those of the federal government in relation to the provincial governors and administrators.
    b. Proceed against government officials accused or suspected of obstructing the holding of free and fair elections;
    c. Approve appointments to all key posts in the central and provincial administration.
    d. No law, ordinance or regulation relating to elections or to the work of the council, would be made without its prior authorization.
    e. In case of disagreement between the government and the PNA representatives in the council, the issue would be referred to the supreme court which must settle it within 72 hours;
    f. The Prime Minister would secure the implementation of the council's decisions.
iii. New Provincial Governors would be appointed with the PNA's approval.

iv. The government would lift the ongoing state of emergency, restore fundamental rights, release political prisoners and disband all special tribunals expect the one trying the NAP leaders in Hyderabad jail.

v. The election commission would comprise of five members, all of them would be judges of the superior court. The chairman and members of the election commission would be named with PNA's approval and the commission would have the administrative and financial authority necessary for holding fair election including the authority to summon the armed forces for its assistance.

vi. The army would cease its operations in Baluchistan within 45 days of the signing of the agreement.

vii. All amendment to the 1973 constitution which had the affect of limiting the rights of citizens or the authority of judges would be repealed.

viii. The government would secure the passage of laws necessary for putting this agreement into effect. [89]

The same day the PNA general council met and it was decided that the government proposals could not be accepted as it did not provide constitutional status to the accord.[90] The PNA legal experts were given the task not only to examine the accord but also to suggest safeguards for the future fair elections. The following day they came up with following points:

i. The Implementation Council must be given full constitutional protection.

ii. Any change in governors could only made by the consensus of both parties.

iii. The agreement should be made between PPP and PNA (i.e. not between Mufti Mahmood President of PNA and Bhutto as Prime Minister). iv. Appointment of the election commission was to be made by consensus of both parties

v. FSF should be placed under the control of the Army GHQ.

vi. All laws that require being amended or altering would have to be amended and altered before the agreement can be signed.

vii. The "Removal of difficulties" clause to be re-instated.

viii. All amendments to the constitution must be made and approved by the PNA before the agreement is signed.

ix. Special tribunal cases should be tried according to the laws used in normal courts. [91]

In the meeting Asghar Khan who was not hopeful of any positive outcome because of the

Bhutto delaying tactics demanded a renewal of agitation. The demand was supported by Sardar Sherbaz Mazari and Maulana Noorani.

On 3rd July at around 10 PM the PNA negotiation team handed over the additional nine points to Bhutto and told him that these were technical points in nature and did not affect the already agreed accord.[92] Bhutto after consulting his team in adjoining room informed the PNA team that he needed time for further consultation and would give his reply to the PNA demands the following day. At the midnight of 3-4th July Bhutto addressed a press conference and announced that "the talks had virtually broken down and that he could not offer more to the PNA."[93]

The PNA General Council met to discuss the latest development on the evening of 4th July. For the first time there was an open split in the Alliance. Asghar Khan, Sardar Sherbaz Mazari and Maulana Noorani- the hard liners insisted to remain stick to the PNA points while other PNA leaders were even in favor of withdrawing some of less important demands. Despite the heated debate and Asghar Khan's severe criticism of the PNA negotiating team majority of the members remained to be in favor of further negotiation. The PNA legal experts were asked to prepare their proposals and the meeting was postponed for the next day.[94]

On the other hand Bhutto held his last cabinet meeting on the evening of 4th July 1977. The meeting was also attended by Chief of Army Staff General Zia-Ul-Haq and the Director General of ISI General Jillani. The meeting discussed the pros and cons of further negotiations with the

PNA. Bhutto also consulted with Abdul Hafeez Pirzada, Ghulam Mustafa Jatoi (the Chief Minister of Sindh) and Mumtaz Bhutto. Pirzada still opposed the concessions to the PNA, but Jatoi and Mumtaz Bhutto counseled acceptance of its latest demand.

At a press conference held at 11:30 PM, Bhutto announced his decision to sign the accord, saying, "The PNA negotiating team had brought in ten new points; they did so apologetically, seeing they were helpless, perhaps they were, but I am not helpless, and so I shall sign the accord tomorrow."[95] However Zia-ul-Haq imposed Martial Law throughout the country on the midnight between 4 and 5th July.

NOTES

Chapter 3

[1] For details of National Democratic Party (NDP) see Mazari, *Disillusionment*, Chapters 6 and 11, Passim.

[2] Ibid., 411.

[3] Ibid., 413.

[4] Khan, *Struggle*, 63, 55, 111; Mazari, *Disillusionment*, 413.

[5] Khan, *Struggle*, 55; Mazari, *Disillusionment*, 413. As discussed earlier that TI and JUP decided to collaborate in the upcoming elections and both parties not only undertook initial survey for nomination of candidates but also held joint meeting of the parliamentary boards to consider joint nomination.

[6] Mazari, *Disillusionment*, 413-4.

[7] Khan, *History*,111.

[8] Ibid., 112-3.

[9] Ibid.

[10] Ibid.

[11] *Leader (Karachi)*, 17 September 1985.

[12] Khan, *History*, 116.

[13] Maulana Noor Muhammad, interview by author, Islamabad, 5 July2009.

[14] Sharif Mujahid, "The 1977 Pakistani Election: An Analysis", in Manzoor ud Din Ahmed, ed., *Contemporary Pakistan: Politics, Economy and Society* (Karachi: Royal Book Company, 1978), 66.

[15] Ibid.

[16] For the detail study of political career of Mufti Mahmood from 1971-1977 see Sayyid A. S. Pirzada, *The Politics of the Jamiat Ulema-i- Islam Pakistan 1971-1977* (Karachi: Oxford University Press, 2000).

[17] Ahmad, *Jamiyyat*, 134; His opposition was based on the following remarks/statements of Mufti Mahmood against the Pakistan Movement and Pakistan. For instance he (Mufti Mahmood) had said at the UDF meeting of 18th August 1975, at Lahore that , "We [he and the leaders of Jamait-ul Ulama-i- Hind (JUH) the mother organization of JUI] were not involved in the sin of creation of Pakistan." Similarly his anti-Pakistan statement reported by his former associate Maulana Ghulam Ghous Hazarvi head of the JUI (Hazarvi) that, "What does it matter to me (Mufti Mahmood), if Pakistan suffers. Let it suffer, After all, our leaders (those of Jamait-ul Ulama-i- Hind) were also against it." Pirzada, *Jamiat Ulema-i- Islam*, 144,129.

[18]Mujahid, "1977 Elections," 66.

[19] Ibid.

[20] *Nawa-i- Waqt (Rawalpindi)*, 28 January 1977; *Dawn (Karachi)*, 29 January 1977.

[21] Ibid.

[22] *Dawn (Karachi)*, 24 January 1977.

[23] Ibid.

[24] *Morning News (Karachi)*, 22 February 1977.

[25] *Dawn (Karachi)*, 2 March 1977. For the religion's role in economic affairs see Timur Kuran, "Religious Economics and the Economics of Religion," *Journal of Institutional and Theoretical Economics* (JITE)/ Zeitschrift für die gemamte Staatswissenschaft 150, no. 4 (Dec., 1994) : 769-775.

[26]Ibid.

[27] *Nawa-i- Waqt (Rawalpindi)*, 28 February 1977; *Jang (Rawalpindi)*, 28 February 1977.

[28] *Pakistan Times (Rawalpindi)*, 28 February 1977.

[29] Khalid B. Sayeed. *Polities in Pakistan: The Nature and Direction of Change* (New York, Praeger Publisher, 1980), 160.

[30] *Pakistan Times (Rawalpindi)*, 24 January 1977. For PPP Manifesto see *Pakistan People's Party Menifesto* (Rawalpindi :Pakistan People Party Central Secretariat, 1977).

[31] *Manshor Pakistan Qaumi Ittihad* (Hafizabad: PNA Hafizabad, n.d.).

[32] This move frustrated and alienated old party workers. Mujahid, "1977 Election," 74-5.

[33] Ibid., 70.

[34] M.G. Weinbaum, "The March 1977 Elections in Pakistan: Where everyone lost," *Asian Survey* 17, no. 7 (July, 1977) : 600.

[35] Kausar Niazi, *Last Days of Prime Minister Bhutto* (Lahore: Jang Publishers, 1991), 53.

[36] Weinbaum, "Where Everyone Lost," 606.

[37]Ibid., 614; Khan, *History*, 120; Mazari, *Disillusionment*,444.

[38] Khan, *History*,120.

[39] *Nawa-i- Waqt (Rawalpindi),* 12 March 1977.

[40] Mujahid, "1977 Elections," 86.

[41] Khan, *History*, 121.

[42] Ibid.; Zahurul Hassan Bhopali, *Intezaar-e- Sehar* (Karachi: Maktaba Qudosia, 1977)112.

[43] *Nawa-i-Waqat (Rawalpindi),* 16 March 1977; *Jang (Karachi)*, 17 March 1977.

[44] *Leader (Karachi)*, 17 September 1985; Bhopali, *Intezar*,113.

[45] Mufti Mahmood's latter to Z.A. Bhutto, 17 March 1977, *Pakistan Horizon* 30 (Second Quarter 1977), 165-6.

[46] Mazari, *Disillusionment*, 448.For Details of Maulana Noorani's imprisonment during Tehrik-i- Nizam-i- Mustafa see Bhopali, *Intezar*, Passim.

[47] Khan, *History*, 123.

[48] Z.A Bhutto's letter to Mufti Mahmood, 19 March 1977, *Pakistan Horizon* 30 (Second Quarter 1977), 166-7.

[49] Mazari, *Disillusionment*, 450.

[50] *Nawa-i- Waqat (Lahore),* 28 March 1977.

[51] Sayeed, *Politics*, 159-60. For the popularity of the Nizam-i- Mustafa slogan among the general public during the movement also see William L. Richter, "From Electoral Politics to Martial Law: Alternative Perspectives on Pakistan's Political Crisis of 1977," in Manzoor ud Din Ahmed, ed., *Contemporary Pakistan: Politics, Economy and Society* (Karachi: Royal Book Company, 1978), 104-5.

[52] Khan, *History*, 124.

[53] Ibid.

[54] Ibid.,125.

[55] *Nawa-i- Waqat (Rawalpindi,)* 7 April 1977; Abu Daud Muhammad Sadiq, *Shah Ahmed Noorani*, Vol-II (Gujranwala: Maktaba-i- Raza-i- Mustafa, n.d.), 7-8 ; Ahmed, *Jamiyyat*, 139.

[56] *Dawn (Karachi),* 16 April 1977.

[57] Khan, *History*, 125; Mazari, *Disillusionment*, 452; Ahmed, *Jamiyyat*,139.

[58] Khan, *History*, 125; Mazari, *Disillusionment*, 452-3.

[59] Winbaum, "Where Everyone Lost," 617.

[60] Qaisar, *Aik Aalim*, 160.

[61] Khan, *History*, 132-4.

[62] Ibid.

[63] Winbaum, “Where Everyone Lost,” 617.

[64] *Leader (Karachi)*, 22 September 1985.

[65] Mazari, *Disillusionment*,445.

[66] Ibid, 456; Khan, *History*, 130.

[67] *Dawn (Karachi)*, 6 May 1977.

[68] Mazari, *Disillusionment*, 457.

[69] Ibid., 458.

[70] *Dawn (Karachi),* 14 May 1977.

[71] Ibid., Constitution Seventh Amendment, Act 1977, Act AXIII of 1977. PLD 1977 Central Statutes 304.

[72] Maulana Noorani, Asghar Khan and Sardar Sherbaz Mazari.

[73] Mazari, *Disillusionment*, 459.

[74] For details of Maulana Noorani’s imprisonment in Ghari Kharo see Bhopali, *Intizar*,106-7.

[75] Sayeed, *Politics*, 160.

[76] Mazari, *Disillusionment*,462.

[77] *Leader(Karachi)*,19 September 1985.

[78] Ibid. [79] Ibid.

[80]As mentioned earlier Bhutto considered Maulana Noorani, Asghar Khan and Sherbaz Mazari as hardliners in PNA.PNA team consisted of Mufti Mahmood, Nasrullah Khan and Ghafoor Ahmad and the PPP team was to be represented by Bhutto, Hafiz Pirzada and Kausar Niazi.

[81] *Dawn (Karachi)*, 30 May 1977.

[82] Khan, *History*,138.

[83] *Morning News (Karachi),* 5 June 1977; *Pakistan Times (Rawalpindi)*, 5 June 1977.

[84] Mazari, *Disillusionment*,464.

[85] Ibid., 465.

[86] *Morning News (Karachi)*, 17 June 1977; *Nawa-i- Waqat (Rawalpindi)*, 18 June 1977; *Pakistan Times (Rawalpindi),* 20 June 1977.

[87] Mazari, *Disillusionment*,465.

[88] Ibid.,468.

[89] Ghafoor Ahmed, *Phir Martial Law Aa gaya* (Lahore: 1988), 234-8.

[90] Khan, *History*,144.

[91] Mazari, *Disillusionment*,472.

[92] Ibid., 473-4.

[93]Khan, *History*,144.

[94] *Leader (Karachi)*, 15 September 1985.

[95] Niazi, *Betrayal*, 200-2.

Chapter 4
Opposing Zia's Islam-I
1977-1979

During the night between 4 and 5 July 1977 the Armed Forces led by Army Chief General Muhammad Zia ul Haq took over the administration of the country. Prime Minister Z. A. Bhutto, his federal ministers, and the top PNA leaders were placed under 'protective custody'. The National and Provincial Assemblies were dissolved and Martial Law was imposed throughout the country. This military operation was given the name of 'Operation Fair Play'.

According to Maulana Noorani, Sardar Qayyum had drawn the attention of the PNA leaders to the possibility of the imposition of Martial Law, in the last meeting of the Alliance leaders, before coup. After attending the meeting which lasted till about 1:00 a.m. Maulana Noorani returned to MNA Hostel from where he was taken under protective custody and was shifted to Chaklala (an Air Force Base in Rawalpindi).[1] The other PNA leaders Sardar Sherbaz Mazari, Asghar Khan, Prof. Ghafoor Ahmed, Nawabzada Nasrullah Khan and Pir Pagaro were also brought to Chaklala Officers' Mess.

Later in the day, Gen. Zia addressed the nation on TV and Radio. In his speech he announced that he was obliged to step in to fill the vacuum created by the political leaders. He said that he accepted the challenge as a 'True Soldier of Islam'.[2]

Announcing his program, Gen. Zia promised free and fair elections to be held in October 1977 and transfer of power to the elected representatives of the people. He said that the tension created during the political confrontation in the country and the mutual distrust between the PNA and the PPP had made the prospects of political compromises impossible.[3] He announced the continuation of Ch.

Fazal Elahi, as the President of Pakistan. The High Court Chief Justices were appointed Provincial Governors, political activity was suspended till further orders. Gen. Zia declared that:

> I want to make it absolutely clear that neither I have any political ambitions nor does the army want to be taken away from its profession of soldiering. My sole aim is to organize free and fair elections which will be held in October this year. (1977). Soon after the polls, power will be transferred to the elected representatives of the people, I give a solemn assurance that I will not deviate from this schedule. During the next three months, my total attention will be concentrated in the holding of elections and I would not like to dissipate my powers and energies as Chief Martial Law Administrator on anything else. [4]

At the end of his address, he said, what was to become his justification to remain in power in years to come:

> To conclude, I must say that the spirit of Islam demonstrated during the recent movement was commendable. It proves that Pakistan, which was created in the name of Islam, will continue to survive only if it sticks to Islam. That is why I consider the introduction of Islamic System as an essential prerequisite for the country. [5]

According to Maulana Noorani the reaction of the PNA leaders on the imposition of Martial Law was of shock and sorrow because the objectives of the PNA movement could not be achieved. "We did not express any anger because we thought that they (martial law people) had promised to hold elections within 90 days. This was what we had been struggling… there was no alternative but to wait till they honored their pledge."[6]

That very night six detained leaders of the PNA were taken to Murree and confined to Punjab House. The detained leaders included Maulana Noorani, Mufti Mahmood, Asghar Khan, Ghafoor Ahmed, Sherbaz Mazari and Nassrullah Khan. Tufail Muhammad, Pir Pagaro, Sardar Qayyum Khan and Ashraf Khan were not detained.

Bhutto was shifted by helicopter to a cottage in Murree and had been provided the Prime Minister Staff. The other leaders of PPP were taken to the Government House Abbotabad later on they were brought to Sindh House in Murree. After ten days of the military coup, Gen. Zia came to Murree accompanied by Lt. Gen. Chishti, Maj. Gen Arif and Ghulam Ishaq Khan to meet PNA leadership and Bhutto separately.

According to Maulana Noorani in the meeting with PNA leaders Gen. Zia talked about the reason of the imposition of Martial Law in the country. He maintained that situation in the country at the time of military takeover had become so serious that there was no alternative but to intervene and check the situation from turning still worse. The General said that while the PPP was holding negotiations with PNA it had been arming its workers in Lahore to create terror. He said that licenses for the arms were issued to PPP workers freely.[7]

He assured that he would hold elections in 90 days in October and advised the PNA leadership to keep PNA intact to continue its mission.[8] The PNA leadership collectively requested Gen. Zia to release all the PNA supporters and compensate the families of those who were killed in the movement, he promised to look into the matter soon.[9] The Baluchistan issue was also discussed, PNA leadership asked Gen. Zia to withdraw the cases against those undergoing trial in Hyderabad prison.[10] After meeting the PNA leadership Gen. Zia met Bhutto. It was said that their meeting had not been smooth. It was rumored that Bhutto told Gen. Zia that he had committed high treason by imposing martial law and he could be trialed under Article 6 of the constitution.[11]

At Murree the PNA leaders had time to reflect upon certain things[2] particularly the recent and upcoming political scenarios and discussed them amongst themselves. One such point or possibility was the future prospects of PNA in the case of Bhutto's PPP boycotting the election. Nassrullah Khan and other PNA leaders were in favor of keeping the PNA intact while Maulana Noorani and Asghar Khan were against it. Maulana Noorani considered it as negation of democracy and the imposition of one party system- just what (PNA) had fought under Bhutto",[12] Maulana Noorani was of the view that in the case of PNA failure in the election Bhutto would reemerge as the alternative; similarly no opposition in the election would result in low poll and give Bhutto a chance to claim that the people had boycotted the election.[13]

After the meeting between PNA leaders and Gen. Zia visitors were allowed to meet detained PNA leadership. On 16th July Begum Naseem Wali Khan visited and updated the PNA leaders about her meeting with Gen. Zia. She said that "she had told him (Gen. Zia) that if anyone left the PNA he would be finished politically".[14]

On 28th July, PNA leadership was released and similarly Bhutto was also released on the same day. It was not certain that Bhutto and his party would contest elections under the supervision of Gen.Zia. Future of PNA was dependent on Bhutto's decision of contesting elections, as discussed earlier Maulana Noorani and Asghar Khan were considering the boycott decision of Bhutto 'vital for the future of Pakistan' and decided to discuss it in their parties national working committees.[15] As far as the elections were concerned Maulana Noorani was hopeful that Gen. Zia would hold them in October 1977.[16]

On 1st August the date for elections to the National and Provincial Assemblies was announced to be on 18th October. The PPP announced on 4 August that it would contest the elections. This announcement ended the ambiguity regarding Bhutto's boycott of election and set a 'battle field' between the PNA and the PPP for new elections.

Addressing the Karachi Bar Association Maulana Noorani said that if the PNA come to power its government would set up judicial commission comprising judges of the Supreme and High Court to investigate into the charges of the gross abuse of power during the PPP government. He also made it clear that against whom the charges were proved would be tried in the ordinary court of law under the normal law of land. He also declared that the PNA was opposed to the setting up of special tribunals and special courts and after coming to power it would transfer the cases against Abdul Wali Khan and others to the higher court.[17]

Talking to the newsmen at Lahore Maulana Noorani said that PNA would conduct the entire election campaign in the most dignified and respectable manner. He was confident that PNA would inflict defeat on PPP and its Chairman Bhutto in the October elections.[18]

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[2] One of the issues discussed were Barelvi- Deobandi conflict and the suggestion by Mufti Mahmood to resolve it. For details see Appendix B.

On 8th August, some of the PPP workers who had gathered to receive Bhutto at Lahore Air Port attacked Maulana Noorani car near Lahore Cantonment Bridge and misbehaved with him. Gen. Zia personally called up Maulana Noorani and apologized for the incident which was generally condemned throughout the country.[19] PNA who gave a strike call against the PPP workers' behavior but withdrew its call when Gen. Zia assured the arrest of the culprits.[20] Bhutto also condemned the incident.[21]

The slow progress of PNA parliamentary board, under the chairmanship of Pir Pagaro to finalize the allocation of seats to its components parties delayed the election campaign of the alliance.[22] On the other hand Maulana Noorani in his congregational addresses at *Jumma* prayers, press statements and social gatherings asked people to vote for PNA by promising them the enforcement of *Nizam-i-Mustafa* in the country, judicial probe in Bhutto's conduct in fall of

Dhaka and homes and employment to poor people.[23] JUP under the leadership of Maulana

Noorani had emerged as one of the top political parties of the country. Hundreds of candidates had applied for the party tickets for the seats of National and Provincial Assemblies, among them was Mian Muhammad Nawaz Sharif. According to JUP sources Nawaz Sharif offered 3Lakh rupees to the JUP fund in lieu of the party ticket of an MPA seat from the constituency of Data Darbar area which was actually allotted to Maulana Ghulam Ali Okarvi. The offer was declined by Maulana Noorani who did not want any 'political opportunist' to jeopardize the due rights of

genuine part workers/leaders.[24]

By late August when some parties of PNA including JI, JUI and ML advanced an idea to get all parties in the PNA to merge into one party. Maulana Noorani, Asghar Khan and Sherbaz Mazari heads of JUP, TI and NDP respectively opposed the move. Maulana Noorani was of the view that the persons who were talking about merger of the PNA components into one political party suffer from great illusion. "No doubt", he said "we have prepared our (PNA's) constitution and election manifesto but that does not mean that we have reached the stage of merger. That stage is still far away."[25] The move of the merger failed due to strong reaction from the major political parties of the PNA. In an interview with Pakistan Television Maulana Noorani said that coming into power the Pakistan National Alliance (PNA) would introduce Islamic Economic System within six months to one year and the criminal code of Quran and Sunnah would be enforced within one month. He said that all the components of PNA were determined to enforce *Nizam-i- Mustafa*.[26]

He also announced that PNA would strictly enforce price control, introduce austerity and cut down government expanses considerably. He maintained that PNA would annulled all

constitutional amendments unilaterally introduced by the PPP in 1973 constitution.[27]

Maulana Noorani while talking to press said that PNA would denationalize the agro-based industry, including the flour milling, rice husking and cotton ginning factories.[28] He also declared that PNA would pursue an independent foreign policy.[29]

On 3rd September, Bhutto was arrested for his involvement in Nawab Ahmed Khan murder case. On the same day Gen. Zia declared that he would be willing to postpone the elections if the people desired or if various political parties supported such a demand.[30] He also stated that the presidential system was in keeping with Islam's Principles and Islamic Ideology Council would be re-

constituted.[31] It was the first public sign of backing out of his (Zia's) earlier commitment of holding elections in 90 days on 18 October 1977.

The following day on 4th September Martial Law Regulation No.21 was promulgated which demanded a declaration of assets from all former members of the national and provincial legislators within fifteen- days period. It seemed that the Martial Law regime was setting the stage for the postponement of the general elections. Maulana Noorani declared that any such move would be harmful for the country and demanded the election to be held on time.[32]

The PNA started its public campaign on 21st September by holding a public meeting at Rawalpindi. The public response was good and a little over 100,000 people attended the meeting. PNA arranged public meetings in other major cities of the country. Maulana Noorani while addressing a public meeting at Karachi held out an assurance that workers of the taken over industrial units would be returned to their original owner under the Pakistan National Alliance's denationalization policy and would be guaranteed full protection of their jobs.[33]

He said welfare of the workers and peasants was the cardinal principle of PNA's policy as these two elements were the backbone of any society, particularly an Islamic Society. Expressing his concern, at efforts of certain elements to create workers ejection problem, Maulana Noorani said that PNA would never tolerate any such things and also urged the Martial Law authorities to keep a very strict watch on such units.[34]

Highlighting the main features of the PNA's manifesto Maulana Noorani said that it had incorporated decisions of far-reaching effects to improve the country's economy and workers' welfare. Besides constitutional safeguards for government and other employees, the manifesto had also committed to take steps to check corruption, nepotism and favoritism, a permanent commission on economics would advice the Government on non-development expenditure cuts and other measures to improve economy including the problem of artificial price spiral.

For the workers the PNA Government would provide housing, advance interest free-loans for house building, free education to workers' children and the settlement of all industrial disputes by the labor courts within two months.

Maulana Noorani said no head of State and minister had the right to spend lavishly while the millions were unable to have two square meals a day, dignity, peaceful sleep and lived without basic necessities of life. He declared that *Nizam-i-Mustafa* would bring about a revolution which would change the face of the country in no time.[35] Addressing another public meeting at Karachi without naming any country Maulana Noorani alleged that Bhutto was getting financial support from a communist country.[36]

Talking to Radio Pakistan in Karachi Maulana Noorani said that all the component parties of the PNA were in agreement on the implementation of *Nizam-i- Mustafa* in the country. He said that details of the introduction of the *Nizam-i-Mustafa* were already there in Quran and Sunnah and for further details the recommendation of the Council of Islamic Ideology would be used.

Maulana Noorani said that the land reforms already introduced in the country had not been implemented in the true sense. He assured that the PNA would give actual possession of the allotted land to *Haris* (peasants), who had not so far been benefited from that land.[37] Addressing a public meeting at Kamoki Maulana Noorani said that the implementation of *Nizam-i-Mustafa* would guarantee justice to all citizens of Pakistan without discrimination of color, creed or religion. He assured that the religious minorities would get equal rights.[38] While addressing to a public meeting at Gujranwala, Maulana Noorani assured women to have dignified status and full rights under

Nizam-i-Mustafa.[39] He stressed on the people to vote for PNA candidates in the elections on 18th October to show the world that people of Pakistan would not accept any other "ism" except the *Nizam-i-Mustafa*.[40]

The election campaign of the PNA was at its full swing when in his broadcast to the nation on 1st October Gen. Zia announced the postponement of the elections indefinitely. He told the main reason for postponing the elections until the process of accountability was completed. He said:

> A number of persons asked me as to why I kept on repeating October 18 as the Election Day. They felt it would be better if I kept the election date open. A number of political leaders during their private talks with me insisted that I should not insist on October 18, because matters more important than elections needed my immediate
>
> attention. I was advised to settle those first and later attend to the elections. [41]

Though the election campaign was progressing over all smoothly without any major act of violence taking place, yet Gen. Zia considered law and order situation as one of the main cause of his decision of postponing the elections.

> In such an atmosphere of the violence, a parallel development is the acts of subversion which have occurred in certain parts of the country. These events are a pointer of storm with certain political leaders are trying to rise in this country… Today, the unfortunate position is that the common citizen is suffering from a sense of fear and anxiety, and is a victim of uncertainty. It is not possible to hold free, fair and impartial elections this year.[42]

The PNA leadership met Gen. Zia on 13th October and asked him to explain his reasons for the postponement of the elections. Gen. Zia ul Haq replied that the law and order situation, disorderly election campaign and reports that some elements were plotting to create trouble resulted in his taking such decision. According to Maulana Noorani he invited Zia's attention to the reports of the recent elections in Turkey and India that there were many disturbances during elections. Many people were killed in the clashes, "such incidents" Maulana Noorani told him

"are part of elections, disturbances, clashes and killing take place during elections. But in our country the situation was not so serious to warrant the postponement of elections".[43]

Gen. Zia then explained the reason for the postponement that a number of top leaders of the PNA and PPP begged him to postpone the elections. Maulana Noorani asked Gen. Zia to disclose the names of those PNA leaders who requested him for the postponement of the general elections. [44]

"This is your moral responsibility" Maulana Noorani told Gen. Zia, "if you do not disclose there names, the only conclusion that can be drawn is that you are trying to create a rift among us".[45] Zia was right because according to Gen. Arif, Pir Pagaro and Ch. Zahoor Elahi met Gen Zia on 30th September and requested for the postponement.[46] Lt. Gen. Chishti also mentioned the names of Ghulam Mustafa Khar, Ghulam Mustafa Jatoi, Afzal Hamid Raza Gillani and Noor Hayat Noon of PPP recommended the election cell (appointed by Gen. Zia) headed by him to postpone the elections. [47]

Later on when it was clear to him that some leaders and parties actually requested Zia for the postponement. Maulana Noorani condemned the leaders and the parties requesting for postponement, and said that they lacked the confidence and were afraid of facing the public. The meeting of the central working committee of JUP under the chairmanship of Maulana Noorani strongly opposed the postponement decision of Gen. Zia and demanded for early polls.[48]

Earlier when Prof. Ghafoor Ahmed, Secretary General of the PNA secretly met the Ambassador of USSR at Islamabad on 2nd October, Maulana Noorani demanded that he should report of his talks in the Russian Embassy to the PNA Central Council. However Prof, Ghafoor maintained that he had visited the Russian embassy in his personal capacity and not as the

Secretary General of the PNA. The issue ended with the intervention of Sardar Sherbaz and Prof. Ghafoor finally apologized and presented his resignation.[49] Despite these developments JUP decided to remain in the PNA. Maulana Noorani was of the view that the rift between the Alliance would not benefit any component party and in order to enforce *Nizam-i- Mustafa* in the country the PNA should be strengthened.[50]

By this time TI's leadership came to the conclusion that "some elements of the Alliance were not really interested in democracy" and after the recommendation of its National Working Committee left the PNA on 11 November 1977.[51] Maulana Noorani called the leaving of TI as a severe setback for the PNA.[52]

Though Martial Law regulations made it difficult to carry out political activities, however Maulana Noorani along with Maulana Niazi launched an extensive tour of North West Frontier Province (NWFP) to organize JUP in the province. Two important organizations of NWFP *Jamiyat-i- Ulama-i- Haq* of Malakand Agency and *Jamiyat-i- Ulama-i-Ahl-i- Sunnat* of Hazara division announced their merger in JUP.[53]

The elections of new office -bearers and the review of the PNA constitution, in a meeting of Central Council of the Alliance on 29 December 1977, caused considerable disharmony among the Alliance parties because Maulana Noorani and Maulana Niazi, President and General Secretary of JUP, respectively insisted on the Clause-13 of the PNA constitution which demanded a unanimous vote of the council for the amendment in the constitution. Despite the objection by Maulana Noorani the council adopted a new constitution and Mufti Mahmood and Prof. Ghafoor were re-elected on their respective positions of President and Secretary General of the Alliance.[54]

Maulana Noorani and his party rejected the new- constitution and the election[55] however, the talks, between the PNA two-member re-conciliation committee under the leadership of Nawabzada Nasarullah Khan, Ashraf Khan as a member and JUP seven-member committee led by Maulana Abdur Sattar Niazi with Pir Muhammad Karam Shah, Prof. Shah Farid-ul Haq,

Maulana Ghulam Ali Okarvi, Khawaja Muhammad Iqbal , Mian Salimullah Khan, and Zahural Hasan Bhopali as members resulted in PNA team agreeing the principle of consensus demanded by JUP in the decision taking on the following five matters:

i. Constitutional amendments.

ii. Negotiation with the Government.

iii. Parliamentary Board decisions.

iv. Joining a new party; and

v. The elections of the PNA office- bearers. [56]

The above-mentioned agreement between the PNA and the JUP negotiation team was not implemented by the PNA leadership despite constant reminders of Maulana Noorani and his party. Later on PNA Central Council in its meeting on 23 May 1977 accepted only one point of the agreement related to the joining of a new party in the alliance.[57]

Maulana Noorani wanted to organize the JUP in all parts of the country. To spread the message of *Nizam-i- Mustafa* and to organize the party at the grass-root level a delegation of JUP under the leadership of Maulana Noorani took an extensive tour of Baluchistan. The two weeks organizational tour which started on 14 January 1978, almost all the major areas of Baluchistan were visited by the JUP delegation.[58]

After completing his Baluchistan tour Maulana Noorani continued his 'meet-the-people' campaign in Punjab. The Punjab tour was successful in respect of organizing his party in the province except the only sad incident of 1 February 1978 at Chuher Kana near Sheikhupura when a public meeting was disrupted. Maulana Noorani alleged some of the parties of PNA responsible for the incident, who according to him had opposed the creation Pakistan and wanted monopoly in the Alliance.[59]

At the end of JUP organizational tours of Baluchistan and Punjab Maulana Noorani on 18

February 1978 went abroad on a three months missionary tour of Africa organized by The World Islamic Mission (WIM).[60] After the postponement of the elections Gen. Zia appointed a Council of Advisers, to assist him in managing the affairs of the country. Later on he established an election cell headed by Gen. Faiz Ali Chishti with Gen. (R) Farman Ali, Gen. Ehsan ul Haq and Gen. Jamal Said Mian as members. The Election Cell was "ostensibly created to establish liaison with political parties to work out a program for elections, the Cell, in fact, was meant to do precisely the opposite."[61]

A delegation of JUP also met Gen. Chishti the head of election cell and demanded early elections[62]. Earlier on, the Supreme Court of Pakistan in Begum Nusrat Bhutto case while legitimizing the imposition of the Martial Law observed:

> While the court does not consider it appropriate to issue any direction, as suggested by Mr. Yahya Bakhtiar, as to a definite timetable for the holding of elections, the court would like to state in the clear terms that it has found it possible to validate the extra
>
> Constitutional Action of the Chief Martial Law Administrator, not only for the reason
>
> that he stepped in to save the country at a time of grave national crisis and constitutional breakdown, but also of the solemn pledge given by him that the period of constitutional deviation shall be of as short a duration as possible, and that during this period all his energies shall be directed towards creating conditions conducive to the holding of free and fair elections leading to the restoration of democratic rule with the dictates of the constitution.[63]

Earlier on, Gen. Zia invited the leading political personages in the country to Islamabad to a special conference on national issues on 4th February. Maulana Noorani was also invited but he refused the

invitation on the grounds that he was busy in his organizational tour of his party in Punjab and considered that such a conference would not serve any purpose.[64]

Talking to the newsmen, Maulana Noorani said that the interim government should better restrict itself to the question of accountability and holding the free and fair elections in the country as promised by the CMLA. Maulana Noorani was of the view that all other issues should be left over to elected government to decide. He regretted the delay in the implementation of the decision by which superior courts in Pakistan were empowered to strike off and alter any law which was contrary to the Holy Quran and the Sunnah. He also demanded delimitation of the constituencies and preparation of electoral rolls, which according to him, could be done within two or three months respectively.[65] Later on, as one of the participants described the conference as, "a grand and artful exercise with the intended purpose of beguiling the invited politicians that

they were participating in the highest affairs of the country" .[66]

The Election Cell appointed by Gen. Zia was in fact working for the establishment of an interim government including all main political parties of the original PNA. The interim government according to the head of the Election Cell Gen. Chishti would remain until the long awaited elections were held. In fact the proposal of the interim government was made to the politicians in September 1977 which according to Gen. Zia bore positive results. Some of the PNA component parties supported Gen. Zia's proposal of framing a national government. Talking to his party leaders, on telephone, from Dublin Maulana Noorani said that his party was not interested in taking ministries and would support the government for the enforcement of *Nizam-i- Mustafa* unconditionally. However he ironically asked the government if the interim government was for holding early elections or for its indefinite postponement.[67] He said that if the government was interested to know the point of view of the political parties it would have allowed them to hold their meetings to discuss these proposals. Maulana Noorani also made it clear that neither he nor anybody else could make a decision except the *Majlis i- Shura* of the party.[68]
On his return from a foreign tour, while talking to the Weekly Ufaq correspondent at Karachi, Maulana Noorani said that the slow pace of the accountability process was creating doubt in the mind of the people regarding the holding of elections. He was of the view that the current speed of accountability process would take ten years. He also criticized CMLA's proposal of the formation of the national government by saying that the aim of its (national government) formation was to delay the elections. He was of the view that national or coalition government was only formed after elections where as no elections were held in the country and how could a government consisting of non-elected people be called a national government.[69]

Maulana Noorani pointed out the delay by the government in enforcing *Nizam-i- Mustafa* in the country and reminded the threat of Communism present on the borders of Pakistan after the recent Afghan communist revolution. However, he was optimistic that Gen. Zia would keep his promise of holding elections and would announce the election schedule as early as possible.[70]

On the issue of joining the Interim National Government PNA remained divided. Maulana Noorani and Sardar Sherbaz Mazari were not in favor of joining the National Government; however, Muslim League joined Gen. Zia's government on 5 July 1978. The following day the meeting of the *Majlis-i- Shura* of the JUP under the chairmanship of Maulana Noorani decided to quit PNA and reiterated its earlier stand of not joining National Government.[71] Later on, JI, JUI and PDP also joined the National Government formed by Gen. Zia on 23rd August.[72]

After parting of the ways between JUP and PNA, Maulana Noorani focused his attention on organizing his party all over the country. To overcome the prevailing problems the country was facing he suggested five points formula and stressed upon the government to implement it. His suggested five points were:

i. Enforcement of *Nizam-i- Mustafa*.

ii. Restoration of political parties.

iii. Completion of accountability process within three months and establishment of a permanent department of accountability under a judge of Supreme Court which should also do accountability of present government's one year rule.

iv. Announcement of election schedule.

v. Cancellation of extra taxes and reduction of executive expenditures by minimum 25%.[73]

On 1 August 1978, a delegation of JUP (UK) and *Anjuman Tabligh-i- Islam* under the leadership of Shah Muhammad Jillani Sadiqui (elder brother of Maulana Noorani and president of overseas JUP), Maulana Abdul Wahab and Pir Syed Maruf Hussain Noshahi met Gen. Chishti and demanded the enforcement of *Nizam-i- Mustafa* in Pakistan.[74] While on the appeal of Maulana Noorani last ten days of the Holy month of Ramadan, starting from 26th August were celebrated by JUP as *Nizam-i - Mustafa* days demanding the Government to enforce *Nizam-i-*

Mustafa in the country.[75]

Maulana Noorani in his meeting with Gen. Zia on 11th September warned him that in case of undue delay in the enforcement of Nizam-i- Mustafa, holding of elections and continuation of civil cabinet (consisting of PNA leaders) till the holding of elections could result in a more powerful movement than of 1977's. He also made it clear to the CMLA that some government elements were causing religious disharmony and sectarianism in the country. He told Gen. Zia that a minority sect (referring to JI) was trying to forcefully control mosques by patronizing a specific sect in *Uqaf* Department and by issuing orders to ban *Darood-o-Salam* in the mosques. These measures, according to Maulana Noorani, had deteriorated the religious atmosphere in the country. Maulana Noorani warned Gen. Zia if these things were not stopped the situation in the country could at any time become out of control.[76]

To weaken the strength of *Ahl-i-Sunnat-Wa-Jamaat* under the leadership of Maulana Noorani, Gen. Zia not only encouraged JI but also made offers of the minister-ships to some of his party leaders.[77] To counter the dirty politics of Gen. Zia ul Haq and to develop a plan of action, a meeting of JUP *Majlis-i-Shura* was held at Lahore on 10 October 1978. The meeting unanimously decided that if anyone (from JUP) joined Gen. Zia non-elected government would automatically be expelled from the party.[78]

JUP which refused to join the interim government of Gen. Zia considered PNA ministers particularly representing JI responsible for creating sectarian division in the country. According to Maulana Noorani 'A*qli'ti Firqa'* (minority group referring to JI) wanted to implement a type of Islam which was not acceptable to '*Swad-i- Azam'* (majority group). The government move to invite

foreign Islamic scholars to suggest Islamization, the growing influence of JI in the government were causes of great concern for JUP's leadership claiming to represent *Swad-i-*

Azam.[79]
To address these developments and chalk out the future action plan for *Ahl-e- Sunnat Ulama* an All Pakistan Sunni Conference was convened at Multan. *Jamaat-i- Ah-i- Sunnat Pakistan* (JASP) a religious organization of *Ahl-i- Sunnat Wa Jamaat* was given a task to organize the conference.[80] Maulana Ahmed Saeed Kazmi[81] President of JASP in an interview with Weekly Ufaq declared the three main purposes of organizing the Multan Sunni Conference as:

i. To organize the *Swad-i- Azam* in the country;

ii. To safeguard the *Maqam-i- Mustafa* and;

iii. To enforce *Nizam-i- Mustafa*. [82]

Besides these there were other causes for organizing the conference which were:

i. Government effort to enforce 'Wahabism' in Pakistan

ii. Appointment of *Wahabi/ Deobandi Khateeb* in *Auqaf* Department (mosques) in place of *Ahl-i- Sunnat Khateebs*.

iii. Ban on *Darood-o- Salam* in *Auqaf* Department mosques. [83]

The leaders and workers of all major *Ahl-i- Sunnat* organizations particularly JUP, JASP and

Anjuman-i- Tulba-i- Islam (ATI) worked very hard to make the proposed conference a success. Maulana Noorani launched an extensive eight days tour of NWFP to mobilize public support for the conference. Addressing a press conference at the end of his tour Maulana Noorani said that the entry of certain components of the defunct Alliance (PNA) in the government through the backdoor had brought a bad name to the cause of *Nizam-i- Mustafa*.[84]

The two day All Pakistan Sunni Conference was held on 16 and 17th October at *Qilah Qasim Bagh* Multan. The conference was attended by the leading *Ulama* and Masha'ikh of the country. The conference was claimed to be the biggest gathering in the history of Pakistan. The conference had four regular and one special session. Regular sessions were held at *Qilah Qasim*

Bagh. The inaugural session was held on 16th October presided over by Maulana Hamid Ali Khan while Maulana Mufti Tuqaddus Ali Khan presided as chief guest. Maulana Ahmed Saeed

Kazmi delivered a welcome address other speakers were Maulana Hamid Ali Khan, Maulana

Habib Ahmed, Maulana Jameel Ahmed Naeemi, Maulana Abdul Malik Hazarvi, Maulana Syed Abdul Qadir Shah.[85]
Second session was held on the same day which was presided over by Allama Ghulam Rasul while Khwaja Qamaruddin Sialvi was the chief guest. Khwaja Sialvi's address was read by Pir

Muhammad Karam Shah. Other speakers included Mufti Muhammad Hussian Qadri (Sukkar),

Mufti Mukhtar Ahmed Gujrati. Maulana Ali Bakhsh Qasmi(*Nazim-i- Ala* JASP Sindh), Maulana

Ibrar Ahmed Rehmani (Karachi) Prof. Shah Farid-ul Haq, Maulana Shafi Okarvi, Mufti Syyid Shujaat Ali Qadri, Allama Mahmood Ahmed Rizvi (President of Central Ruet-i- Hilal Committee), Maulana Muhammad Akbar Saqi, Maulana Abdul Aziz Chisti, Maulana Syed Muhammad Hashim Fazil Khan Shamsi, Ch. Muhammad Hussain Virk and Alhaj Amjad Ali Chishti (President ATI).[86]

Third session was held on 17th October under the Chairmanship of Syed Diwan al-i-Mujtaba (*Sajjadanasheen* of Ajmer Sharif) while Sahibzada Fazl-i- Rasul and Pir Syed Akbar Hussain Shah were chief guests. Other speakers were Maulana Shah Turabul Haq Qadri, Maulana Khuda Bakhsh Azhar, Maulana Abdus Sattar Khan Niazi (Secretary General JUP).[87]

Fourth session was held on the same day under the chairmanship of Maulana Ahmed Saeed Kazmi, while Maulana Shah Ahmed Noorani was the chief guest. Other speakers of the session were Maulana Khalil Ahmed Qadri, Sahibzada Fazal Karim, Raja Rashid Mahmood, Mufti Muhammad Hussain Naeemi, Zahural Hassan Bhopali, Maulana Ghulam Ali Okarvi, Maulana Muhammad Abdullah Qasuri, Maulana Abu Daud Muhammad Sadiq and Maulana Noorani.[88]

In his address at the concluding session of the conference Maulana Noorani declared to work for the protection of the rights of *Ahl-i- Sunnat* and announced that they (*Ahl-i- Sunnat*) were not against any sect. He also made it clear that in Islam politics and religion are not separate from each other and *Ahl-i- Sunnat* wanted the enforcement of *Nizam-i- Mustafa* in Pakistan as the country belongs to the servants of Holy Prophet (Peace be upon him).[89]

Earlier on the third session of the conference adopted the 'Multan Declaration' presented by Sahibzada Muhammad Fazal-e- Karim Secretary General of JASP. The declaration demanded:

i. Immediate enforcement of *Nizam-i- Mustafa* in the country.
ii. The establishment of separate *Sunni Auqaf*.
iii. Acceptance of *Asnad* (degrees) issued by the *Ahl-i- Sunnat Madaris* (religious institutions) by all government departments. [90]

The declaration strongly condemned the Anti-Sunni role of *Auqaf*[91] department in taking over mosques and shrines belonging to *Ahl-i- Sunnat* and issuing orders to ban *Darud-o- Salam* in the mosques.[92] The conference was a great success it not only brought together leading *Ulama* and Masha'ikh at one platform but also being able to show unity and strength of *Ahl-i- Sunnat* which emerged as the leading force of Pakistan under the leadership of Maulana Noorani.[93]

Not only the CMLA but also some ministers of the interim government felt uncomfortable by the growing power of the JUP and its President Maulana Noorani. They tried to use their official positions to get the conference cancelled on the grounds that the conference had political motives. But Maulana Noorani took a strong stand to hold the conference in any case. Judging the seriousness of the situation Gen. Zia himself discussed the issue with Maulana Noorani and assured him not to cancel the conference.[94]

Addressing the press conference at Multan Maulana Noorani demanded elections should be held only under the auspices of the Judiciary and Army and the Civil Government had to quit three months before the elections so that they could not influence the elections. He said that the Multan Sunni Conference had demonstrated that it had neither any political nor sectarian objectives and simply wanted to accelerate struggle for the enforcement of *Nizam-i- Mustafa*. [95]

Maulana Noorani alleged that the PNA parties who had joined the Government were neither sincere to democracy nor to the cause of *Nizam-i- Mustafa*. He was of the view that the PNA manifesto had promised Islamization of laws within one month which these parties had failed to introduce even after two months in the government.[96]

Maulana Noorani who claimed to believe in democracy was conscious to keep his party fully prepared for the upcoming elections. The great success of All Pakistan Sunni Conference Multan gave new momentum to *Ahl-i-Sunnat-Wa-Jamaat*. Maulana Noorani was very well-aware of the fact that to keep momentum alive and to channelize it into the success of his party in the next elections was a difficult task. So he started a country-wide mass contact to further organize JUP and mobilize public support to put pressure on the government to enforce *Nizam-i- Mustafa*, hold early elections and restore democracy.

Before proceeding to Baluchistan on a ten-day organizational tour of his party Maulana Noorani addressed to *Khadameen* (workers) convention at Karachi and gave the task to the leaders and workers of JUP Karachi to the enroll new members in the party.[97] Pir of Pagaro (President of ML) also met Maulana Noorani to discuss the possibilities of making election alliance of the two parties.[98]

Addressing to the party meeting at Kharan (Baluchistan) Maulana Noorani said that the *Sardars* (heads of the tribes) who lived in Posh Bungalows in Karachi could not solve the problems of the *Baluch* people.[99] He called for the introduction of *Nizam-i-Mustafa* in the country so that there would be a revolutionary change in the lives of the people of Baluchistan.[100] The Baluchistan tour was a success in the sense that JUP tried to establish itself in the province which was considered to be under the strong political control of JUI and newly formed NDP.

Maulana Noorani along with other parties' leaders started demanding early elections showing least interest in Gen. Zia's promise to introduce Islamic System in the country. He alleged that the government had started the reform campaign in the society just to divert the public's attention from real issues faced by the country.

On 26 November 1978 Maulana Noorani along with other leaders of JUP started eighteenday tour of the Sindh province. In the addresses to the party workers and general public Maulana Noorani highlighted the government's failure to enforce *Nizam-i-Mustafa* in the country and demanded holding of early elections. With these public meetings of Maulana Noorani pressure was building upon Gen. Zia to introduce Islamic System in the country. [101]

On 2nd December (the first Muharram, the beginning of the Hijri Year 1399) in an address to the nation over the Radio and TV network, President Zia ul Haq announced the long- promised

'First- Steps' towards Islamization of laws. As a mark of respect to Muharram-ul- Haram, it was decided that all cinema houses would remain closed at least on 9 and 10th of Muharram. President Zia promised that the economic system given by Islam would be enforced shortly. However he announced following measures in this context:

i. No interest would be applicable on the bicycle advance provided from the government source.
ii. No interest would be charged on the loans given to the government servants from Grade 1 to 15 for house building.
iii. Some changes would be introduced in the working of the national investment trust as its future strategy would make investments on the basis of equality participation and not on the basis of interest. [102]

He also announced some proposed changes in the existing judicial system in consonance with the Islamic laws. The main proposals were:

i. In additions to the present courts, a Shariat Bench would be set up in every province at the level of High Court and a 'Shariat Appeal Bench' at the Supreme Court.
ii. For the constitution of each Shariat Bench the Chief Justice of High Court or Supreme Court would be asked to propose a Panel of judges. The three members of the Bench should be well-versed in Islamic *Shariat* and *Fiqah* (Jurisprudence). iii. These Islamic courts would decide whether any law was wholly or partly Islamic or unIslamic, and the government would be obliged to change the law. iv. The court fee was abolished for filing an application with *Shariat* Bench.
v. The *Shariat* Bench would be comprised of panel of *Ulama* and lawyers. vi. The modus operandi of *Shariat* Bench would be Islamic in character.

vii. Every bench would be having jurisdiction, and would be competent to send for any witness, document or other material. viii. If someone doesn't agree with the universal of the Shariat Bench, he could present the matter to the Shariat Appeal Bench.

ix. The Supreme Court, High Court or any other court or tribunal were not competent to hear appeals against the verdict of the Shariat Bench or the Shariat Appeal Bench.
x. It would be incumbent upon the government to amend the concerned law within the stipulated time in accordance with the findings of the bench, and bring it in conformity with the requirement of Islam.
xi. The Shariat Benches would also be authorized to examine laws even if no case was brought to them.
xii. The Shariat Benches, however, excluded from the purview of the benches of the Constitution, Fiscal Law, Muslim Personal Law, Court Procedures, Taxation, Banking and Insurance. [103]

In a joint press conference in Karachi Maulana Noorani and Maulana Niazi rejected the steps announced by Gen. Zia for the enforcement of Islam and called it "Brohi Brand Islam".[104] According to them until the supremacy of Shariat was given proper constitutional protection no one could guarantee the implementation of *Nizam-i- Mustafa* in its real form in the country. They were of the view that the proposed Shariat Benches had not been given full jurisdiction and most of the laws of the state were excluded from the preview of these benches. They declared that the majority of the country's population belonged to *Fiqah-i-Hanafi* therefore any interpretation against *Hanafi* Law could never be accepted by the people.[105]

Maulana Noorani and other *Ahl-i- Sunnat* leaders were against the gradual enforcement of Nizam-i- Mustafa in the country.[106] While addressing the *Khadameen* meeting in Karachi Maulana Noorani said that he and his party believed in democratic principles and would not deviate from the mission of the enforcement of Nizam-i- Mustafa in the country.[107] He also criticized the civil government (PNA) for its coming to power through betrayal to the sacrifices of the people during *Nizam-i-Mustafa* Movement of 1977.[108]

Maulana Noorani along with other leaders of JUP continued the 'mass-contact program' and undertook an extensive tour of Punjab province. In his public addresses Maulana Noorani demanded the resignation of the civil government by 31st March and holding of general elections under the supervision of the Army and the Judiciary.[109] The success of the Punjab tour can be assessed by the fact that more than 100,000 new members were enrolled in the JUP.[110]

Despite the overall success of the Punjab tour an unhappy incident took place on 3 January

1979 when a public meeting of JUP at Kot Addu which was going to be addressed by Maulana Noorani and other leaders of the party was disrupted. Maulana Noorani put the responsibility of the sad incident on JI and JUI[111] (component parties of national government). On 10 February

1979 (12 Rabi-ul- Awal 1399 Hijri the birthday of Holy Prophet Muhammad Peace be upon him)

Gen. Zia announced a set of Hudud Shariat Laws defining punishments for the crimes of drinking, theft, *Zina* (adultery), *Qazaf* (false witness) and a system of the collection of *Zakat* and *Ushar*.[112]
These laws according to Gen. Zia formed a package introducing Islamic law in Pakistan.[113] Import export under the prohibition law, manufacture, transport, bottling, selling, and serving of any intoxicant was made an offence punishable by whipping and imprisonment. Hadd punishment for drinking liquor was provided eighty lashes.

Hadd punishment for theft was provided amputation of right hand from the joint of wrist, for the first theft and amputation of left foot up to the ankle for the second theft. Incase of theft for the third time, life imprisonment was proposed. In case of *Zina* the punishment announced was stoning to death and in case of fornication, whipping, at a public place hundred stripes.[114] The law related to false testimony or false accusation of *Zina* the *Hadd* punishment was whipping 80

strips.

In an address Gen. Zia also announced the setting up of an organization for the assessment, collection and disbursement of *Zakat* and *Ushar*. *Zakat* was collected at the rate of 25% from the saving accounts of the people while the collection of *Ushar* was at the rate of 10%[115].
The *Markazi Majlis-i- Amla* of JUP held its meeting for three consecutive days on 16-18th February at Karachi to review the political condition of the country. The meetings which were presided over

by Maulana Noorani demanded Gen. Zia to hold elections as early as possible and hand over the government to the elected people of the county.[116]

Markazi Majlis-i- Amla passed a resolution calling the announcement of Gen. Zia, on 10th February for the enforcement of *Hadud* laws, a partial success to the sacrifices of the martyrs of *Nizam-i-Mustafa* Movement of 1977 and demanded full enforcement of *Nizam-i- Mustafa* in the country. However *Majlis-i- Amla* declared the law of *Zakat* and *Ushar* collection was incomplete and defective.[117] The meeting also demanded that Information Ministry must not be run by JI who was spreading sectarianism in the country. It was also decided by *Majlis-i- Amla* to hold two day Milad-i- Mustafa Conference on 25-26 March 1979 at Raiwind Lahore to announce the

future line of action.[118]

To make the proposed Milad-i- Mustafa Conference a success Maulana Noorani undertook an extensive tour of Punjab and urged people to work-whole heartedly for the enforcement of Nizam-i- Mustafa and success of the conference.[119]

On 23 March 1979, just two days before the Milad-i- Mustafa Conference Gen. Zia announced his intention of holding general elections on 17 November 1979. The following day a meeting of *Majlis-i- Shura* was held at Lahore under the Chairmanship of Maulana Noorani and expressed its satisfaction on the announcement of the date of general elections by Gen Zia. *Shura* also re-elected Maulana Noorani and Maulana Niazi as President and General Secretary of the JUP respectively.[120]
The two day Milad-i- Mustafa Conference was held on 25-26th March at Raiwind. The conference was attended by lakhs of people and the leading *Ulama* and Masha'ikh of *Ahl-i-*

Sunnat- Wa- Jamaat represented all parts of the country.[121]

Maulana Noorani in his concluding address made it clear that the future of Pakistan was only in the enforcement of *Nizam-i- Mustafa* in the country.[122] Addressing the audience Maulana Noorani said that the trust which they (people) showed in them (JUP and *Ahl-i- Sunnat* leaders), they would come up to it. He also declared that he had been sold to Holy Prophet (Peace be upon him) and nobody could purchase him.[123]

Earlier on Syed Muhammad Faiz Ahmed, Secretary of the Reception Committee presented the '*Mustafaabad*' Declaration which was duly approved. The declaration highlighted the services of JUP for the enforcement of *Nizam-i- Mustafa* in the country and pledged to work for its enforcement. The declaration demanded ban on the literature against sacred personalities of

Islam and expressed deep concern over genocide of Muslims in India, Afghanistan and Palestine.

He announced full moral support to the struggle of self-determination in Kashmir, Eritia,

Palestine, Cypress and Philippines.[124]

The conference adopted following resolution in its different sessions:

i. The name of Raiwind should be changed to Mustafaabad.
ii. The government should not interfere in the functioning of *Madaris*.

iii. The government should recognize the *Asnad* of the *Tanzim- al- Madaris* as equivalent to M.A or at least B.A. [125]

The success of Milad-i- Mustafa Conference was the result of the collective organizational efforts of JUP, JASP, ATI and other *Ahl-i- Sunnat* organizations. The leadership of these organizations worked day and night to make it a success particularly Maulana Noorani undertook extensive tours of the different provinces of the country , addressed public and party meetings. Even when some ministers of the Zia's government tried to ban the conference by dubbing it a sectarian moot. Maulana Noorani took a firm stand on holding the conference and finally government dropped the idea of the cancellation of the conference.[126]

As the date of the November elections drew closer, Gen. Zia sprang surprises on the political parties and tired to alter the basic rules under which they would be conducted. The first issue he raised was the question of permanent constitutional role of the armed forces in the political life of the country. Another matter which he mentioned was related to the balance between the power of Prime Minister and those of the President.

Maulana Noorani categorically rejected the idea of constitutional role of armed forces by saying that Pakistan came into being by the power of ballet (by democratic struggle) not by bullet (armed struggle).[127] On the issue of balance of power between the Prime Minister and the President, he was of the opinion that the matter must be left for the elected representatives to decide.[128] Gen. Zia further announced the holding of 'non-party' municipal councils and other local body's elections prior to the November poll. Maulana Noorani demanded the local body's elections be held after the general elections.[129] Maulana Noorani before departing to London to attend *Nizam-i- Mustafa* Conference said that accountability of the Army would also be done along with other departments in future. [130]

On 22nd July, Gen. Zia announced that the upcoming general elections would be based on the proportional representation in place of the tradition 'first past the post' system. By the time this

announcement was made, Maulana Noorani was in London to attend *Nizam-i- Mustafa* conference in Birmingham organized by WIM.[131] In his presidential address to *Nizam-i- Mustafa*

Conference in Birmingham (UK) Maulana Noorani highlighted the political development in Pakistan and demanded that elections of 17th November should not be postponed[132].

Maulana Noorani addressed a press conference at Karachi on his return to the country from London, in which he categorically rejected the idea of the proportional representation. He called it as an excuse by the government to postpone the elections. He also demanded the announcement of the upcoming election schedule before *Ramazan-ul-Mubarak*.[133] Maulana Noorani in reply to the latter sent by Gen. Zia regarding proportional representation wrote that elections based on proportional representation would lead to undue importance to small groups and class confliction.[134]

On 31 August 1979 Gen. Zia promulgated an ordinance amending the Political Parties Act of 1962. The new amendment required political parties to do the following things:

i. To register with the election commission as pre-requisite for taking part in national elations;

ii. Submission of accounts of the party to elections commission for audit;

iii. To publish a formal manifesto; iv. To hold annual elections of party offices;

v. To submit a list of office bearers to the elections commission. [135]

The ordinance gave power to the election commission to cancel the registration of those parties who failed to comply with these regulations. It also made it an offence for political parties to criticize the armed forces and the judiciary.[136] Maulana Noorani called these amendments insulting for the political parties.[137] He also said that by amending the Political Parties Act Martial Law government had violated its jurisdiction. He asked Gen. Zia that if these amendments were so important why they were not introduced six months earlier.[138] "However"

Maulana Noorani said, "in the best interest of the country JUP decided to register itself to the

Election Commission".[139]

Addressing a press conference in Karachi, Maulana Noorani said that despite unjustified and un-constitutional amendments by the government his party would contest the elections and would not give an excuse to government to postpone the elections.[140]

On 24th September Maulana Noorani announced the salient features of JUP Election Manifesto at a press conference at Karachi.[141] On 27th September Maulana Noorani wrote a letter to Gen. Zia demanding him:

i. To stop so called accountability process;

ii. To stop using Radio and TV for his (Gen. Zia's) publicity;

iii. To end the restriction on the political parties for registration with election commission;

iv. To remove ban on political activities;

v. To release all political prisoners and cancellation of political cases; vi. Not to change the traditional ' first past the post' system for the general elections; vii. To end the uncertainty regarding the general elections by issuing such statements which could lead rumors regarding elections. [142]

Maulana Noorani also told Gen. Zia that his party would not let the elections turned into selection.[143] JUP finalized its list of candidates and submitted the list to the election commission and announced to start its election campaign on 16th October.[144] Earlier on Maulana Noorani threatened to boycott the elections if adequate time would not be given for the election campaign.[145]

However, on 16th October Gen. Zia addressed the nation on radio and TV and announced the postponement of the November Elections and banned all political activity. He also announced ban on political parties, sealing their offices and freezing of their funds and imposition of strict press censorship. The martial law authorities and the police were given special powers to search without warrant.[146]

NOTES

Chapter 4

[1] Maulana Noorani described the detail of his arrest as follow, "I offered my prayers and then went to bed. I had not yet gone to sleep when suddenly somebody banged at the door. It was so loud that I thought that somebody was trying to break the door … I saw about a dozen armed uniformed men in front of my room. An armed man, who looked an officer, faced me; he pointed his gun to my chest. I asked him what the matter was. Why was he trying to break the door at this hour?

He asked me, are you Maulana Shah Ahmed Noorani? I said, Yes I am Shah Ahmed Noorani. Who are you and why you are trying to break the door? He said, We have come to take you. After satisfying myself that the armed men and their in-charge (Captain) were from the army Maulana Noorani told the army officer that I would take some time to accompany them.

"I told him that I would perform ablution (Wuzu), change and then go with them. On this he said, you have to come with us immediately. I told him, I am not going with him without performing ablution and changing (dress). He walked into the room with his gun pointing to my chest … when I was going towards the bathroom, he jumped ahead of me, kicked opened the door of the bathroom and then walked into it with me. I was irritated. I asked him, Do you see any other door and window in this bathroom through which I can escape. Do you have any manners?"

After getting ready Maulana Noorani further admonished the Caption of his ill manners. However later on at Chaklala Air Base Gen. Chishti apologized for the misbehavior of his officer. *Leader (Karachi),* 15 September 1985.

[2] *Dawn (Karachi),* 6 July 1977.

[3] There was also an external dimension to the imposition of Martial Law i.e. confrontation between Bhutto and President Carter over the nuclear reprocessing plant deal between Pakistan and France. For details of this dimension see Shirin Tahir Kheli, "Martial Law Again in Pakistan," *Asian Affairs* 5, no. 4 (March- April, 1978), 239-40.

[4] Ibid.

[5] *Leader (Karachi)*, 23 September 1985; For Gen. Zia announcements after coup see Cyril Pickard, "Change in Pakistan," *The World Today* 33, no. 12 (December, 1977) : 450.

[6] *Leader (Karachi)*, 23 September 1985.

[7] Ibid.

[8] Ibid.

[9] Mazari, *Disillusionment*, 481; Khan, *History*,147.

[10] Khan, *Struggle*, 112-113.

[11] Khan, *Constitutional History*, 324.

[12] She was indirectly referring to Maulana Noorani and Asghar Khan, Ibid.,13.

[13] Ibid.

[14] Ibid.

[15] Ibid.

[16] *Turjuman-i- Ahl-i- Sunnat*, July- August 1977.

[17] *Pakistan Time (Rawalpindi),* 5 August 1977; *Dawn (Karachi),* 5 August 1977; *Nawa– i– Waqat (Rawalpindi),* 5 August 1977.

[18] *Morning News (Karachi),* 7 August 1977; *Nawa-i-Waqat (Rawalpindi)*, 6 August 1977; *Jang (Rawalpindi),* 6 August 1977.

[19] Mazari, *Disillusionment*, 483; Muhammad Waseem, *Politics and the State in Pakistan* (Lahore: Progressive Publishers, 1989), 367.

[20] Ibid.

[21] *Masawat (Lahore)*, 12 August 1977.

[22] Khan, *History*, 150; *Dawn (Karachi),* 29 September 1977.

[23] *Dawn (Karachi),* 9 August 1977; *Nawa-i- Waqat (Rawalpindi)*, 10 August 1977; *Nawa-i- Waqat (Lahore),* 11 August 1977; *Nawa-i- Waqat (Rawalpindi)*, 16 August 1977.

[24] *Nida-i-Ahl-i-Sunnat*,June 2000, 48.

[25] *Pakistan Times (Rawalpindi),* 21 August 1977; *Nawa-i- Waqat (Rawalpindi),* 21 August 1977; *Morning News (Karachi),* 21 August 197; *Masawat (Lahore)*, 21 August 1977; *Jang (Rawalpindi),* 21 August 1977; *Dawn* (*Karachi*), 21 August 1977. For Public Statement of Asghar Khan, Sherbaz Mazari and Maulana Noorani three main opponent of the merger see the *Pakistan Times* from 19 August to 25 August 1977.

[26] *Dawn*, 27 August 1977; *Pakistan Times* (*Rawalpindi*), 27 August 1977; *Morning News* (*Karachi*), 27 August 1977.

[27] Ibid

[28] *Morning News (Karachi)*, 24 August 1977.

[29] *Morning News (Karachi)*, 31 August 1977. For public statement of Maulana Noorani on these issues see *Nawa-i-Waqat (Rawalpindi)*, 22 August 1977;*Pakistan Times (Rawalpindi)* 23 August 1977; *Nawa-i- Waqat (Rawalpindi*), 23 August 1977; *Nawa-i- Waqat (Rawalpindi)*, 24 August 1977; *Hayat* (*Lahore*), 25 August 1977; *Jang* (*Rawalpindi*), 26 August 1977;*Nawa-i- Waqat (Rawalpindi), 26* August 1977; *Nawa-i- Waqat (Rawalpindi)*, 31 August 1977; *Nawa-i- Waqat (Rawalpindi)*, 2 September 1977.

[30] *Pakistan Times (Rawalpindi)*, 4 September 1977.

[31] Ibid.

[32] *Nawa-i- Waqat (Rawalpindi)*, 8 September 1977; *Siyasat (Lahore)*, 8 September 1977; *Nawa-i- Waqat (Rawalpindi)*, 9 September 1977; *Nawa-i- Waqat (Rawalpindi)*, 13 September 1977.

[33] *Dawn (Karachi)*, 28 September 1977.

[34] Ibid.

[35]Ibid.

[36] *Morning News (Karachi) (Karachi)*,, 26 September 1977, *Jang (Rawalpindi)*, 29 September 1977, *Jang (Rawalpindi)*, 28 September 1977. For Maulana Noorani public addresses in different cities of the country see *Nawa-i- Waqat (Rawalpindi)*, 20 September1977, *Hayat (Lahore)*, 23 September, 1977.

[37] *Dawn (Karachi)*, 29 September 1977.

[38] Ibid.

[39] *Siyasat (Lahore)*, 29 September 1977. For women's rights in Islam see Niaz A. Shah, "Women's Human Rights in the Koran: An Interpretive Approach," *Human Rights Quarterly* 28, no. 4 (Nov., 2006) : 868-903.

[40] Ibid., *Siyasat (Lahore)*, 30 September 1977. *Jang (Rawalpindi)*, 1 October 1977.

[41] Akbar Rashid, Election 77 and Aftermath: A Political Appraisal, (n.d.), 79.

[42] Ibid., 80.

[43] *Leader(Karachi)*, 24 September 1977.

[44]Ibid. [45]

Ibid.

[46] Gen. Khalid Mahmood Arif, *Working with Zia: Pakistan's Power Politics 1977-1988* (Karachi: Oxford University Press, 1995), 131.

[47] Faiz Ali Chishti, *Betrayal of Another Kind:Islam,Democracy and the Army in Pakistan* (Lahore: Jang Publishers, 1996), 40.

[48] *Pakistan Times (Rawalpindi)*, 8 October, 1977.

[49]The *Leader (Karachi),* 24 September 1985. However the PNA council accepted his apology in this regard.

[50] *Jang (Rawalpindi),* 3 November 1977.

[51] Khan, *History*, 153.

[52] *Jang (Rawalpindi),* 19 November 1977.

[53] *Ufaq*, 31 December 1977-6 January 1978, 2. Important political and religious personalities who joined JUP were Mufti-i- Azam Sarhad Mufti Saista Gul, Sahib Haq Muslim uddin, Sajjadanasheen Dabar Pir Baba Sahibzada Hussian Shah Qadri , Shib Haq Mahmood (Mardan District) , Sahibzada Hafiz Mudassar (Mardan District), Sahibzada Abdur Hafar Sahib Yar Hussain Sharif, Sahibzada Habib-un- Nabi Biki Sharif, Maulana Shah Zahir Shah Mian Qadri (Madain), Maulana Abdur Manan (Mardan) Sahibzada Bacha Khan, Qazi Fakhar uddin and Qazi Fazal Rehman (Dir), Sahibzada Syed Muhammad Azaam Sah Qadri(Peshawar), Syed Zaeen Gillini (Peshawar),Dr. Ghulam Muhammad (Peshawar), Sahibzada Maulana Munib-ur- Rehman of Bhera Sharif, Maulana abdul Malik Hazarvi, Sahibzada Abdur Shakoor and Qazi Ellahi (Mansera), Maulana Hazrat Gee and Maulana Abdur Ghafoor (Balakot), Sher Ahsan Mughal (Ghazi), Barkat Ali Awan (Ghazi Terbela), Pir Mian Muhammad Akbar jan and Maulana Gul Muhammad Chishti (D. I. Khan) Pir Saadat Shah and Amir Hamza Khan (Dor Khili), Khan Wali Muhammad Khan (Banu) and Maulana Abdur Rauf (Kohat), While Pir Muhamad Ismaeel Sajjadanasheen Musa Zi Sharif and Pir Sheikh Gul Sahib also announced their support to patronize JUP. Also see *Tarjuman-i- Ahl-i-Sunnat*, January 1978, 77-78; *Zindagi*, 30 December 1977; *Zindagi*, 5 January 1978, 20-1; *Jang (Rawalpindi),* 10 December 1977; *Jang (Rawalpindi),* 15 December 1977; *Hayat* (*Karachi*), 16 December 1977; *Jang (Rawalpindi),* 17 December 1977; *Siyasat (Lahore),* 18 December 1977;

[54] *Ufaq*, 8-15 January 1978, 2. For the detail view of Maulana Noorani and Mufti Mahmood on this issue see *Ufaq*, 16-21 January 1978,4.

[55] Ibid.

[56] Pir Muhamad Karam Shah, *Qaumi Ittehad Kayon Tota* (n.p. 1988), 10-11. For the detailed talks between the JUP and the PNA see *Ufaq*, 16-21 January 1978,1; *Jang (Rawalpindi)* 3 January 1978; *Tarjuman-i- Ahl- Sunnat,* February 1978, 82-83; *Dawn (Karachi)*, 5 January 1978; *Ufaq*, 26 February- 4 March 1978,1; *Ufaq*, 16-23 April 1978,1; *Ufaq*, 30 April- 6 May 1978,1,8; *Ufaq*, 14- 21 May 1978,16; *Ufaq*, 21-27 May 1978,8.

[57] *Ufaq*, 29 January- 4 February 1978,3.

[58]The other members of JUP delegation were Maulana Fateh Muhammad Barozai President JUP Baluchistan, Maulana Habib Ahmed Baluch, Qari Abdur Rehman Mengal, Sahibzada Noor Ullah Jan Raisani, Malana Muhammad Waris Qalandarani, Maulana Muhammad Hassan Abro, Maulana Muhammad Hayat Jamot, Maulanan Anayat Ullah Sialachi, Maulana Pir Baksh Bangzia, Haji Pir Wali Muhammad Raisani, Maulana Muhammad Wazir Qadri, Ghulam Hussain Pirzada, Jamal Uddin, Agha Gul Khan Qadri. JUP offices were inaugurated in six different areas of Baluchistan and Maulana Noorani visited 15 Darul-Ulooms (Religious schools). Important religious and political personalities that joined JUP were SahibzadaNoor Ahmad Jan Raisani, Pir Sultan Noor Hussain, Sultan Ghulam Miran, Pir Syed Zaibil Shah Bukhari, Pir Syed Bowal Shah Dopai, Muhammad Nawaz Mari, Muhammad Wazir Afgan and Haji Ghulam Ali Khilji. *Ufaq*, 5- 11 February 1978, 16.

[59] *Nawa-i-Waqat (Rawalpindi)*, 2 February 1978.

[60] *Ufaq*, 19- 25 March 1978, 3; *Ufaq*, 28 May - 3 June 1978,1; Khalil Rana, *Noorani Mian ki Tablighi Sargarmiyan*,(Jahanaya: Noman Academy,1983). 15-8.

[61] Khan, *History*,157.

[62] *Ufaq*, 26 March- 1 April 1978, 2.

[63] Begum Nusrat Bhutto vs. Chief of Army Staff, act P.L.D. 1977, Supreme Court, 657-763.

[64] *Ufaq*, 12- 18 February 1978,2 .

[65] *Dawn (Karachi)*, 5 February 1978.

[66] Mazari, Disillusionment,504. The political leaders who attended the special conference were Maulana Mufti Mahmood (President of PNA). Nawabzada Nasrullah Khan (Vice President PNA), Mian Tufial Muhammad (JI); Prof. Ghafoor Ahmed (Secretary General PNA); Ch. Zhaoor Elahi (ML), Mr. Yusaf Khattak; Sardar Sherbaz Mazari Khan Abdul Wali Khan(Vice President NDP); Mir Ghus Bakhsh Bizenjo(Former NAP); Mr. Mushir Pesh Imam (Secretary General TI), Khan Abdul Qayyum Khan and Mr. Muhammad Ashraf Khan (Khaksar Praty). Official representative were CMLA Gen. Zia with for Deputy CMLAs , the four governors, advisors of the government Ghulam Ishaq Khan, Aftab Ahmed Khan spoke of the national economy, Agha Shahi, highlighted the issue of foreign policy confronting Pakistan. Ibid.

[67] *Awam (Karachi)*, 26 March 1978.

[68] *Ufaq* , 23-29 April 1978,2.

[69] *Ufaq*, 28 May -3 June 1978,1, 16.

[70] Ibid.

[71] *Jang (Rawalpindi)*, 7 July 1978.

[72] W. Eric Gustafson, "Pakistan 1978: At the brink Again?," *Asian Survey* 19, no. 2 (Feb., 1979) : 158.

[73] *Ufaq*, 24- 30 July 1978,3.

[74] *Ufaq*, 6-12 August 1978, 1, 16.

[75] *Ufaq*, 29 August – 9 September 1978,26; *Ufaq*, 10-16 September 1978, 22; *Ufaq*, 17-23 September 1978,1; *Ufaq*, 24-30 September 1978,22; *Ufaq*, 8-14 October 1978,1,16.

[76] *Ufaq*, 17-23 September 1978,1.

[77] Syed Anwar Qudwai, *Allama Shah Ahmed Noorani: Aik Tarekh Aik Ehad* (Lahore: Hafeez Publisher, 2004), 53.

[78] *Jang (Lahore)*, 11 October 1978, *Nawa-i- Waqat (Rawalpindi)*, 11 October1978. Later on Dost Muhammad Faizi, Ahad Yousaf and Zahurul Hassan Bhopali joined the Sindh government violating 10 October 1978 decision of JUP Majlis-i-Shura and were expelled from the party.

[79] Ibid.

[80] Syed Alam, *Kul Pakistan Sunni Conference*, (n.d.) 371.

[81] For his brief biographical sketch see Muhammad Naeem, "ALLAMAH AHMAD SA'ID KAZMI (1913-1986)," *Islamic Studies* 25, no. 3 (Autumn 1986) : 370.

[82] *Ufaq* 12-22 October 1978, 4,17 [83] Ibid.,28.

[84] However Maulana Noorani supported the government move to introduce separate electorate but rejected the proposal of Gen. Zia to introduce the Presidential system in the country. *Jang (Rawalpindi)*, 13 October1978; *Nawai- Waqat (Rawalpindi)*, 13 October1978. For the details of Maulana Noorani's public addresses during NWFP tour see *Nawa-i- Waqat (Rawalpindi)*, 4, 9 October 1978; *Jang (Rawalpindi)* 11 October1978; *Dawn (Karachi)* 11 October 1978

[85] Syed Alam, *Sunni Conference*, 377.

[86] Ibid., 378.

[87] Ibid.

[88] Ibid,390.

[89] For the detail of Maulana Noorani's address see *Ufaq* Vol: 1, No: 46, 27 November- 3December 1978,20. Also see *Turjuman-i- Ahl-i- Sunnat* December 1978,38-9.

[90] *Ufaq*, 23-28 October 1978; *Turjuman-i- Ahl-i- Sunnat,* December 1978, 41-5.

[91] For the detail study of the concept see S. Jamal Malik, "Waqf in Pakistan: Change in the Traditional Institutions,"*Die Welt des Islam* XXX (1990). 63-97.

[92] Ibid.

[93] *Ufaq*, sp. ed., (*Rauda-i- Kul Pakistan Sunni Conference Multan*), 27 November -3 December, 1978, 4-14.

[94] *Turjuman-i- Ahl-i- Sunnat*, December 1978, 28; *Zia-i- Haram*, November 1978,9.

[95] *Dawn (Karachi),* 20 October 1978, 1.

[96] Ibid.

[97] *Ufaq*, 29 October- 4 November 1978.

[98] Ibdi., *Dawn (Karachi),* 25 October 1978; *Jang (Rawalpindi),* 25 October 1978.

[99] *Dawn (Karachi),* 3 November 1978.

[100] Ibid., For Maulana Noorani's address in Quetta see *Jang (Rawalpindi),* 28 October 1978; *Nawa-i- Waqat* (*Rawalpindi*), 28 October 1978. For Maulana Noorani's Baluchistan Tour see *Ufaq*, 8-18 November 1978,1,18; *Ufaq*, 19-26 November 1978,3,12,18.

[101] *Ufaq*, 27 November-3 December 1978,1; *Ufaq*, 25-31 December 1978,3. For the details of the Sindh Tour see *Ufaq*, 1-7 January 1978,10.

[102] Gustafson, "Pakistan 1978," 161-162. See Address to the Nation, President Zia Ul Haq on 2 December 1978, *Pakistan Horizon* XXXII, no. 1&2, (First and Second Quarter, 1979), 27 9-80.

[103] Ibid.

[104]Referring to A. K. Brohi, the Government Law Minister; whom Gen. Zia gave the credit of preparing these proposals. *Ufaq*, 11- 17 December 1978, 3. In February 1977 as the Law and Religious Affair Advisor, A. K. Brohi had announced that the main concern of Gen Zia from day one was to put the country on the Islamic System for which the existing system was abandoned and a new system to be evolved in the place. William L. Richter, "Pakistan Praetorianism: Pakistan's Third Military Regime," *Pacific Affairs* 51, no. 3 (Autumn 1978) : 422. Similarly in February 1978, A.K. Barohi declared Zia's 'main concern' from the coup and onwards had been 'to put the country on the Islamic System'. William L. Richter, "The Political Dynamics of Islamic Resurgence in Pakistan," *Asian Survey*19, no. 6 (Jan., 1979) :555. For biographical details see A.K. Barohi (1915-1987), *Islamic Studies* 26, no. 4, (Winter, 1987), 396.

[105] *Ufaq*, 27 November - 3 December 1978,1.

[106] *Ufaq*, 25-31 December 1978,2.

[107] Ibid. [108] Ibid.

[109] *Ufaq*, 1-7 January 1979, 3. For the details of 17 days Punjab Tour starting from 26 December to 12 January see *Ufaq*, 15-21 January 1979,9.

[110] Ibid.

[111] For the details of Kot Addu incident see *Ufaq*, 8-14 January 1979,3,5,12; *Ufaq*, 24-28 January 1979, 8.

[112] On 9 February 1979, Martial Law Government issued three ordinances and one president's order regarding the Shariat Laws. They were offences against property (Enforcement of Hudud) Ordinance 1979, Ordinance VI of 1979, PLD 1979 Central Statutes 44; Offence of Zina (Enforcement of Hudud) Ordinance VII of 1979, PLD 1979 Central Statutes 51; Offence of Qazaf; Ordinance VIII of 1979, PLD 1979 Central Statutes 56; Prohibition (Enforcement of Hadd) Ordinance 1979, Presidents Order 4 of 1979, PLD 1979 Central Statues 33 and Zakat & Usher (organization) Ordinance, 1979, Ordinance XXIX of 1979, PLD 1979 Central Statues 277.

[113] *Dawn (Karachi),* 11 February 1979.

[114] The proof of Hadd in Zina cases is extremely strict which is four adult male witness, meeting the high standard of credibility under Islam, giving evidence as eye- witnesses to the act of copulation. In case such standard of proof was not available the lighter punishment of imprisonment up to 10 years and whipping 30 strips could be awarded.

[115] *Dawn (Karachi),* 11 February 1979. For a detailed study of Ushar see Ziauddin Ahmed, " Ushar and 'Ushar land," *Islamic Studies*, Vol.19, No. 2, (Summer 1980), 76,94.

[116] *Ufaq*, 19-25 February 1979,1.

[117] Majlis-i- Amla established a 11 member *Ulama* committee by the name of 'Idara Tadween-i- Nizam-i- Mustafa' under the leaser-ship of Maulana Ghulam Ali Okarvi to suggest improvements in Zakat and Ushar Law and other laws announced by Gen. Zia ul Haq, Ibid.

[118] *Ufaq*, 19-25 February 1979, 1; For Maulana Noorani's criticism of Zia ul Haq see Ufaq 26 February – 4 March 1979, 11,20; *Ufaq*, 5-11 March 1979, 20.

[119] *Ufaq*, 16-20 March 1979; *Ufaq*, 21 March- 1 April 1979. For complete report of Maulana Noorani's Punjab Tour see *Ufaq*, 9-15 April, 1979,7.

[120] *Rida-i- Mustafa,* April 1979,19; *Mashriq (Lahore)*, 25 March 1979. *Turjuman-i- Ahl-i- Sunnat,* April 1979,1.3

[121] *Ufaq (Milad-i- Mustafa Conference),* 7-13 May1979, 13-14; *Aftab* (Multan), 26-27 March, 1979; *Imroze (Lahore),* 26-27 March 1979; *Nawa-i- Waqat (Lahore),* 27 March 1979; *Akhbar-i- Jahan*, 2-8 April 1979. The conference was attended and addressed by the following *Ulama* and Masha'ikh: Maulana Ahmed Saeed Kazmi, Maulana Abdul Ghafoor Okarvi, Maulana Ghulam Ali Okarvi, Dost Muhammad Ali Faizi, Maulana Manzoor Ahmed Shah, Mufti Muhammad Hussain Qadri, Maulana Muhammad Yaqub Qadri, Maulana Habib Ahmed, Prof. Shah Faridul Haq, Mufti Muhammad Zafar Ali Nomani, Maulana Muhammad Akbar Saqi, Pir Ibrahim Jan Sirhindi, Maulana Tarabul Haq Qadri, Maulana Syed Hasinuddin Shah, Maulana Sammiullah Khan, Maulana Abdul Wahid Rabbani, Maulana Shabbir Husain Shah, Allama Abdul Mustafa Al- Azhari, Sahibzada Muhammad Fazal Karim, Mufti Mukhtar Ahmed Gujrati, Maulana Shabbier Ahmed Hashmi, Maulana Abdus Sattar Khan Niazi, and Syed Muhammad Shafique.

[122] *Ufaq*, 7-13 May 1979, 27.

[123] Qaisar, *Aik Aalim*,191. For complete address of Maulana Noorani see *Ufaq*, 7-13 May 1979,27-8.

[124] *Ufaq*, 2-8 April 1979,11.

[125] *Ufaq*, 7-13 May 1979,17; *Imroze (Lahore)*, 26 March 1979. For further details see *Ufaq (Milad-i- Mustafa Number)* 7-13 May 1979.

[126] *Ufaq*, 5-11 March 1979,1.

[127] *Ufaq*, 16-22 April 1977,1,8.

[128] *Dawn (Karachi)*, 3 May 1979

[129] Ibid., *Ufaq*, 26 May- 3 June 1979,3,18.

[130] *Ufaq* sp. ed., *(Milad-i- Mustafa Conference, Birmingham)*, 9-15 July 1979,1.

[131] Ibid.

[132] Qaisar, *Aik Aalim*,192.

[133] *Ufaq*, 30 July- 5 August 1979,3.

[134] *Ufaq*, 13- 19 August 1979,1.

[135] Hassan Askari Rizvi, “The Military and Politics in Pakistan,” 231; Willaim L. Richter and W. Eric Gustafson, “Pakistan 1979: Back to the Square One”, Asian Survey 20, no. 2 (Feb., 1980) :190.

[136] Ibid.

[137] *Ufaq*, 27August- 9 September 1979,1;*Ufaq*, 10-16 September 1979,11.

[138] *Ufaq*, 20-29 September 1979,1,22.

[139] Ibid.

[140] *Ufaq*, 20- 27 September 1979,1, 22.

[141] *Dawn (Karachi)*,25 September 1979. The main point of the manifesto was the enforcement of *Nizam-i- Mustafa* in every field of life. *Ufaq*, 8-15 October 1979,16.

[142] *Ufaq*, 1-7 October 1979,1,11.

[143] Ibid., *Ufaq*, 8-15 October 1979,1,14.

[144] *Mashriq (Lahore)*, 9 October 1979; *Jang (Rawalpindi)*, 16 October 1979.

[145] *Ufaq*, 15-22 October 1979,1.

[146] Khan, *Struggle*, 176.

Chapter 5
Opposing Zia's Islam-II
1980-88

After the announcement of the indefinite postponement of elections to be held in November

1979, the 'real martial law' was imposed in the country by Gen. Zia. Due to strict martial law regulations against all types of political activities Maulana Noorani focused his attention to his missionary activities in the country and abroad under the banner of WIM while JUP continued its activities under the name of *Tehrik-i- Nizam-i- Mustafa*.[1]

The Soviet intervention in the closing days of 1979 proved to be a golden opportunity for

Gen. Zia to consolidate his rule in the country. Pakistan became the major Frontline State against USSR resulted in the American and Western support to martial law regime.[2] While "domestic political development in 1980 in Pakistan was largely a continuation of directionless drama which began with the July 1977 coup."[3]

Gen. Zia initiated debate in the press on the form of government most appropriate for the country and formulated twelve- member committee of scholars, *Ulama* jurists and others to formulate recommendations about the structure of an Islamic democratic system suitable for the country. According to him Pakistan was created in the name of Islam and in Islam there was no provision for western type of elections.[4] Political parties were asked to express their views on the topic whether the democratic system adopted in the country was compatible with Islam.[5]
Maulana Noorani favored parliamentary democracy as a system based on Islamic principles.[6] Gen. Zia ul Haq also established provincial advisory councils in the four provinces of Pakistan. The members of these councils were also taken from local bodies officials. In Sindh to check the influence of JUP some second tier leadership of the party was taken in advisory council.[7]

In the same year on 20th July the government implemented *Zakat* on bank accounts while the implementation of *Ushar* was held in abeyance. *Shias*, the minority seat, objected to compulsory *Zakat* and demonstrated against its implementation on them, after violent demonstration Gen. Zia agreed to amend the *Zakat* and *Ushar* ordinance. Zia ul Haq called conferences of *Masha'ikh* and *Ulama* in August and September respectively and in those conferences announced:

i. The formation of *Ulama* Board whose member would rank as presidential

advisors; ii. The appointment of *Ulama* to Shariat court; iii. The nomination of

Ulama in federal and provincial councils. [8]

Later on *Zakat* fund, the above mentioned positions were used by Gen. Zia to divide *Ahl-iSunnat- Wa- Jamaat* to win the support of some of its leader and finally resulting in weakening JUP.

In 1980 though there were some protests by lawyers in the cities of Lahore and Karachi, and a failed coup attempt by some junior army officers, but overall the situation remained under government's control. Earlier on, on 26th May a presidential order severely circumscribed the power

of the courts by barring the High Courts from making any order relating to the validity of martial law regulations.[9] It further restricted the 'jurisdiction' of the High Courts and barred them from making an order related to the validity or effect of any martial law order or anything done, or action taken, or intended to be done or taken there under. It also prohibited the High Courts from reviewing the judgments or sentences passed by military courts or tribunals or from taking any action with the authority of the Martial Law Administrator (MLA). The Presidential
Order also stated that the superior courts' jurisdiction had been curtailed retrospectively.[10]

After the postponement of the 17 November 1979 elections and imposition of ban on political parties and all sorts of political activities, nearly all political parties in the country arrayed against Gen. Zia with the exception of some political parties most important among them was JI which continued to support Gen. Zia and his regime, "but more significantly …was the burgeoning understanding between military and the JI". [11]

The ML headed by Pir Pagaro once an ally of Gen. Zia regime came closer to JUP due to its difference with JI. Both the political parties (JUP and ML) had been meeting and working on the possibilities of formation of an alliance.[12]

On the other hand on 6th February the PPP and several other small parties set up a political alliance named as the Movement for the Restoration of Democracy (MRD) with the aim of working both for putting an end to martial law and for holding free and fair elections in accordance with the suspended 1973 constitution.[13] The MRD included the following parties: PPP, TI, NDP, PDP, QMA (Quami Mahaz-i- Azadi), JUI, PMKP (Paksitan Mazdoor Kisan Party), P M L (Khairuddin Group), AJKMC (Azad Jammu Kashmir Muslim Conference).

The leaders of MRD also decided to contact other political parties and invite them to join the alliance. In this regard Maulana Noorani was contacted by different leaders of MRD. JUP which had a clear policy regarding the restoration of democracy in the country declined the offer to join the alliance however it supported the struggle and aims of MRD. The main reason of JUP not joining the alliance was its difference with PPP's government in the past. JUP considered Bhutto's government as an oppressor and responsible for the imposition of martial law in the country.[14]
Though JUP did not join the MRD but its announcement of full support to the MRD struggle for the restoration of the democracy and holding of elections under 1973 constitution put Gen.
Zia's regime in a difficult situation.

However the hijacking of Pakistan International Airline (PIA) 737 Boeing plane on 2 March

1981 by an underground group, Al- Zulfiqar (led by one of Bhutto's sons) from Karachi first to

Kabul and then to Damascus deflected people's attention and caused rift in MRD. On 22nd March, Sardar Abdul Qayyum Khan President of AJKML announced his party's decision to leave MRD.[15]
Gen. Zia took full aversion of general public to the hijacking incident and enforced the Provisional Constitution Order (PCO). It was claimed that PCO was required to make adequate provisions for governing Pakistan for effectively meeting the threat to the integrity and sovereignty of Pakistan and its Islamic ideology. [16]

Some of the important features of the PCO were:

i. All fundamental rights under 1973 constitution and provisions for their enforceability were taken out.

ii. A Federal Council (*Majlis-i-Shuhra*) would be set up consisting of people selected by the President. The council would perform functions as specified in an order made by the President.

iii. Only those political parties would be allowed to function whenever political activity was restored which had registered them with the Election Commission by 11th October 1979. All other political parties stood dissolved and their funds forfeited to the federal government. No new political party could be formed accept with the previous permission in writing of the Chief Election Commission.

iv. The proclamation of 5 July 1977, President's order, CMLA's orders including those amending the constitution, all Martial Law regulation and orders, and all other laws made on or after 5 July 1977, were declared valid not withstanding any judgment of any court.

v. The President and the CMLA would have and would be deemed always to have the power to amend the constitution.

vi. All judges of the Supreme Court, the High Court, and the Federal Shariat Court, including the chief justice were required to take an oath under the PCO however the taking oath was not left to the choice of the judges alone; the President had the option
not to give oath to any judge. Those judges who did not take the oath or were not given the oath were to cease to hold office.

vii. Judges, who took the oath under the PCO, were to be bound by the provisions of the PCO and could not call into question or even permit to be called into question the validity of its provision. [17]

By enforcing PCO Gen. Zia and his Junta were confident that they had been able to subdue and neutralize whatever little political resistance existed in the country. However, just four days after the deceleration of PCO, JUP and ML (Pagaro group) announced the decision of the formation of their formal alliance by the name of *Tahreek-i-Tahafuz-i- Pakistan*. Both the parties decided to work for the achievement of the following goals:

i. The restoration of political activities;

ii. To end press censorship;

iii. To activate public opinion against violence, terrorism and non-religious believes;

iv. Restoration of democracy and holding of general elections;

v. To work for the enforcement of *Nizam-e-Mustafa*. [18]

To make a joint stand for the restoration of democracy in the country Maulana Noorani suggested a formal Round Table Conference (RTC) of political leaders. He also started his 'meet-the-public' tour from the province of Punjab in mid-October. Talking to the news reporters after completing the first leg of his Punjab tour Maulana Noorani demanded the government to restore the political activates and allow at least those political parties to function who had registered themselves with the Election Commission.[19] Maulana Noorani criticized the government for not holding the election and said that Islam is the biggest propagator of democracy. He was arrested on 25th November from Chunyan and sent to Karachi. He was also banned from entering Punjab for three months.[20]

Similarly when Maulana Noorani landed at Islamabad airport on 30th November to address Imam Ahmed Raza Khan's conference he was taken by police in custody for several hours before sending him back to Karachi by air.[21] Despite martial law restriction Maulana Noorani addressed Karachi Bar Association and demanded the government to hold free and fair elections and to take up JUP suggestions of the RTC of political leaders.[22]

On 25th December Gen. Zia announced establishment of Federal Council (*Majlis-i- Shura*).[23] This was a step taken to create a political lobby for Gen. Zia and his regime. The Federal Council was an interim set up made by the Martial Law government and the nominees were carefully selected by the governors of the provinces on the basis of reports of bureaucrats and the intelligence agencies. They (*Shura* members) were expected to serve as the political arm of the military regime.

The President could nominate up to 350 members to the Federal Council. Due representation was given to *Ulama*, Masha'ikh, women, farmers, professional laborers and minorities.[24] The council would have a chairman and four vice chairmen one from every province, all to be appointed by the President and to hold office at his pleasure. The council could recommend to the President the enactment of a law, or the amendment of an existing law. It could discuss the Five Year Development Plan and make recommendations. It could also discuss the annual budget but could not vote for its items. It could not discuss the conduct of judges. The President could dissolve it any time.

After the nomination of its members, the Federal Council met in February 1982, Maulana Noorani called the newly established *Majlis-i-Shura* as representing Martial Law government not the people of Pakistan.[25]

On the issue of cooperation with Martial Law Government and joining *Majlis-i- Shura* JUP not only expelled some of its party leaders and workers from the party but also the alliance with ML (Pagaro group) came to an end on the same grounds.[26]

Earlier on Maulana Noorani proposed a six point formula for the peaceful transfer of power to the elected representatives of the people. The formula was based on the following points:

i. No new enforcement of Martial Law Orders.

ii. Dissolution of military courts.

iii. Cancellation of PCO. iv. Restoration of the authority of Judiciary.

v. End of press censorship.

vi. Removal of ban imposed on the political parties and restoration of political activities.[27]

For the implementation of these points Maulana Noorani suggested the establishment of a non-military interim government. Later on two more points, the release of political prisoners and the dissolution of *Majlis-i- Shura*, were added in the working paper of JUP on the resolution of the political deadlock prevailing in the country.[28]

To achieve consensus in this regard Maulana Noorani started his efforts to convene a RTC of the political parties. He met different leaders and also started his 'meet-the-public' tours of the different provinces of the country. However, the Martial Law Government using its powers banned Maulana Noorani from entering Baluchistan and Punjab.[29]

The holding of Round Table Conference was made impossible due to the preventive orders served by the government on Ghus Baksh Bizenjo (PNP), Khan Abdul Wali Kahn (NDP), Syed Munir Shah (TI), Arshad Chaudary (PDP), and Maulana Muhammad Siraj (JUI Fazal ur Rehman group).

Maulana Noorani addressing a press conference said that though the government had subverted the proposed Round Table Conference but he was determined to continue the efforts to bring all the political parties on one platform for the restoration of democracy in the country on the basis of 1973 Constitution.[30]

He was of the view that his party had made a sincere effort to find out workable formula for the peaceful transfer of power and the holding of elections in the country at the earliest as the transfer of power to the elected representatives was in the interest of the country. He stressed the need for the alliance of democratic forces and announced that his party would support any party working for the early restoration of democracy.[31]

In the meanwhile MRD announced to launch a movement, to press demands for the withdrawal of martial law and holding of early elections, on 14 August 1983. Maulana Noorani supported the MRD's movement for the restoration of democracy.
During his 'meet-the-public' tour of Sindh province replying to a journalist's question regarding JUP support to MRD movement, Maulana Noorani said that the joint demand of JUP and PPP was to hold elections under the constitution of 1973 and government must be handed over to the elected representatives of the people. He alleged Martial Law government of supporting forces demanding '*Sindhudesh'* (independent Sindh) and warned the government that the previous Martial Law (by Gen. Yahya) resulted in the creation of Bangladesh while the present one was giving birth to '*Sindhudesh'*.[32]

By late 1983 to lessen the impact of the protest movement against him Gen. Zia introduced some steps to implement Shariat. They were:

i. The Government issued orders for the regular observance of *Salat*, and provided facilities for performing *Salat-al Zuhur* (afternoon prayer) in the Government, semigovernment offices during the office hours and at the airports, railway stations and bus stands;

ii. It issued an *Ethrem-i-Ramadan* ordinance providing that the traditions, rules concerning Ramadan must be observed including the closure of cinema halls till three hours between the *Salat-al-Maghrab* and (Evening prayer) *Isha*;

iii. Provided the definition of Muslim and non-Muslim as follows:

a. Muslim means a person who believes in the unity and oneness of Almighty Allah, in the absolute and unqualified finality of Prophethood of Muhammad, and does not believe in or recognize as, a Prophet of religious reformer to be a Prophet, in any sense of the word or of any description whatsoever, after Muhammad (Peace be Upon him).

b. "Non-Muslim" means a person who is not a Muslim and includes a person belonging to the Christian, Hindu, Sikh, Buddhist or Parsi community, a person of the *Qadiani* group or the *Lahori* group (who call themselves "*Ahmadis*" or by any other name), or a *Bahai*, and a person belonging to any of the scheduled castes.

It has suitably amended the Pakistan Penal Code and the code of criminal procedure declaring anything directly or indirectly showing disrespect to the Holy Prophet (Peace be Upon him), *Ahl-i-Bait*, *Sahaba a*nd *Sher-i-Islam*, a cognizable offence, punishable with imprisonment or fine or with both.

iv. To discourage the tendency of co-education, the Government decided to establish two Women Universities.

v. The Islamic studies have been introduced as a compulsory subject up to B.A. level (for all those who are having faith in teachings of Prophet Muhammad). It has also been recognized as a compulsory subject for the central superior services competitions/ examinations, vocational and technical institutions and the police training establishments.

vi. The *Sanad* (Degree) granted by the Religious Institutions (*Dars-i-Nizami*) who were traditionally imparting knowledge in Shariat have been recognized as equivalent to M.A. Degree in Islamic Studies and Arabic for purposes of teaching and research. Those getting *Sanads* of the *Dars-i-Nizami* have been made eligible to get admission in LL.M. courses, offered by the Islamic University, Islamabad.

vii. The Government also decided to provide necessary infrastructure for the training of the Magistracy and Judiciary in Islamic Jurisprudence and Islamic judicial structure.[33]

According to a renowned scholar “The CMLA was … ruling the country with a ‘*Messiah*’, and ‘Savior’ complex. Gen. Zia ascribe to himself the God- ordained mission of transforming Pakistani Society on ‘Islamic lines’ and emphasized that as long as ruler in an Islamic Sate [e.g. Zia in Pakistan] is performing his duties in accordance with the *Quran* and *Sunnah*, ‘no body can challenge him’...”[34]

Refuting argument of Gen. Zia while addressing a public meeting at Pacca Qila Hyderabad Maulana Noorani said that in Islam it was unlawful to obey the orders of an unelected ruler and people should protest against such ruler.[35]

Just two days before start of the MRD Movement Gen. Zia while addressing *Majlis-i- Shura* on the future constitutional frame work of Pakistan, announced amendments to the constitution which

further antagonized the politicians. Gen. Zia also promised elections on non- party basis in March 1985. He announced the amendments to the constitution of 1973 in the following manner:

> i. The 1973 constitution was to be restored, but a balance was to be brought about between the powers of the President and the Prime Minister; ii. The armed forces would have no constitutional role in running the government; iii. Elections would be held on adult suffrage; iv. The Prime Minister would be appointed by the President, but the person appointed must, in the President's view, command a majority support in the National Assembly. The Prime Minister within two months of assumption of office would be required to obtain a vote of confidence from the National Assembly;
>
> v. The president would have the power to dissolve the National Assembly if he felt that a need has arisen for seeking a fresh mandate. The fresh elections would have to be held within seventy-five days; vi. The President would have the power to return a bill that had already been passed by the
>
> Assembly for reconsideration; vii. The appointment of the Chairman of the Joint Chiefs of Staff committee, the Chief of Staff of the Armed Forces and the provincial governors would be appointed by the
>
> President in consultation with the Chief Justice; viii. The appointment of the Chief Election Commissioner would be made by the President in consultation with the Chief Justice; ix. Additionally a National Security Council would be established. [36]

These amendments were totally against the spirit of the constitution of 1973 and made President stronger than the Prime Minister. Gen. Zia, in his speech made clear of his desire to hold power by saying:

> No one should start speculating that A is quitting and B is coming or that the sun is setting here and rise there… If God grants me life and You and I both will be here and together we will serve this country in a manner behooving a Pakistani and a Muslim. God willing, we will certainly succeed.[37]

Gen. Zia made an announcement of elections, within eighteen months, reminded the political parties of the similar assurance he made in 1977 and 1979. Maulana Noorani categorically rejected the amendments announced by Gen. Zia and said that the nation would refuse these unconstitutional amendments too as they were just made to prolong his (Gen. Zia's) rule. He also declared that the amendments were a collection of ambiguities in which no announcement was made to end the ban on political activities.[38]

MRD call for civil disobedience sparked a militant movement which brought to the surface

Sindhi bitterness about growing injustice under Zia's military rule. The movement was essentially organized by political groups working in Sindh. The Sindh '*Hari'* Committee, section of the People's Party and the Awami Tehrik were main organizers of the movement. Makhdum Muhammad Zaman of Hala, and his followers also played a leading role in organizing protest demonstration against the government. The movement not only resulted in intense violence but also

manifested strong ethnic sentiments due to lack of any democratic expression and right under the Martial Law. The death toll of the four month movement was many thousand.

To lessen the impact of the MRD movement in Sindh Zia also launched a campaign and toured the country and addressed a number of public meetings. While addressing a public meeting in Peshawar he declared that he was determined to establish Islamic democracy in Pakistan. He also outlined the form of Islamic government and gave a ten point program to the people. They were:

i. Under the Constitution sovereignty will belong to Allah.

ii. The entire administration, including the Head of State and all elected persons would be the functionaries of Allah and the Holy Prophet.

iii. All the ideological contradictions in the Constitution would be eliminated. Islam and Islam alone will be our "*Deen*", religion, politics, economy and the code of life in Pakistan.

iv. Islamic equality in the true sense would be established in Pakistan.

v. The coming elections would lay the foundation of unity of the Islamic *Ummah*.

vi. The society would be purged of professional political monopolies as a result of the coming elections.

vii. The mode of election would be free from adventurism and false promises and it would be held on the basis of ability and consultation.

viii. Far-reaching changes would be effected in electoral laws. Those transgressing God's limits and indulging in drinking, adultery, smuggling and other evils would be disqualified.

ix. Political leadership would go to the middle class, the noble people and the intelligentsia, who have hitherto remained neglected.

x. Those wanting confederation, autonomy and family monopoly must be aware that Pakistan would not be assigned to their negative politics. [39]

To discuss the prevailing situation in the country a meeting of the JUP *Majlis-i- Shura* was held on 23 August 1983 under the chairmanship of Pir Syed Barakat Ahmed. Maulana Noorani was unable to attend the meeting because of the government's order to restrict his entrance in Punjab for three months. The meeting decided not to formally join MRD but to fully support the movement for the restoration of democracy.[40]

While defending his party's decision Maulana Noorani said that his party, in the past, had not hesitated from making sacrifices for the cause of democracy and therefore supported prodemocracy movement of the MRD in the same spirit.[41] In mid September Maulana Noorani visited Hala (Sindh) and met Makhdum Muhammad Zaman Talab-ul- Mola and announced his support to the MRD movement.[42]

In the meanwhile the martial law government showed its intention to start negotiation with

JUP and other political parties.[43] In fact the government move was to "preempt any potential move toward a grand alliance between the MRD and the former constituents of the PNA."[44] Maulana Noorani who did not want to give Zia regime any excuse to continue the martial law in the country by declining the talks offer and only agreed to hold talks with the government when latter accepted former Five- Point Agenda for JUP- Government negotiations. The following were the main points of agenda:

i. The revival of all political parties without further delay; the offices of the parties should be unsealed, accounts must be de-freezed and all the political leaders and workers be immediately released.
ii. The proposed amendments in 1973 Constitution as announced by the President had no legal justification and should be withdrawn. iii. The CMLA should call the meeting of the heads of all political parties for the purpose of deciding the schedule of elections.
iv. All the curbs on the press should be withdrawn forthwith and it should be allowed to work freely.
v. The military courts should be dissolved as they had opened a new chapter of corruption in the country.[45]

Maulana Noorani made it clear to the government that his party had decided to enter into a dialogue with the government only on the basis of 'now and here' decision regarding the party's agenda. However, elections to the provincial and national assemblies could be held within a maximum time of next six months, even if the task of enrollment of constituencies was undertaken in hand.[46]

Maulana Noorani was also of the view that no positive results could be achieved unless government had created some sort of flexibility in its attitude towards MRD.[47] On 10th October on his arrival at Islamabad to hold talks with the government Maulana Noorani said that the MRD movement was an anti- martial law movement but it was wrongly projected by some elements as an anti- Pakistan Movement.[48] The political analysts were not so hopeful about the results of the negotiation held on 10th October between JUP and the government teams.[49]

Briefing the press about the talks, Maulana Noorani said that the JUP delegation discussed the five points agenda in detail which envisaged lifting of ban on political parties and political activities, giving a tentative election schedule, removal of curbs from the press, doing away with military courts and cancellation of 12th August announcement. The JUP, he said, was of the opinion that nobody was empowered to amend the 1973 constitution. According to Maulana Noorani the President had assured the JUP delegation that he would discuss these points with leaders of other political parties in next few days to bring about a consensus.[50]

Later on, when the government failed to respond positively to the JUP demands, Maulana

Noorani announced his party's decision not to hold talks with the government in future. He also declared that the Martial Law regime was not in the mood to transfer power to the elected representatives.[51] Maulana Noorani also announced to start direct action program if the government had not shown any positive response to the JUP demands.[52]

Earlier on while addressing the ceremony in memory of Hazrat Imam Hussian (RA), at the mosque in Gulberg Lahore, Maulana Noorani said that JUP firmly believed that the enforcement of *Nizam-i- Mustafa* in its true spirit alone could ensure a strong, prosperous and stable Pakistan and that democracy was inevitable for the country. He also said that JUP had always stood for Nizam-i-Mustafa and democracy and would continue its efforts without showing any relaxation. He refuted the government propaganda that there was no room for political parties in Islam and said that *Kafila-e- Hussain* (Hazrat Imam Hussain and his associates) was the first opposition party against state injustice. He said Imam Hussain could retire to a more prosperous life but he was to set brilliant example of struggle and sacrifice against injustice for all times to come. That was why Hazrat Imam Hussain preferred to wage Jihad against the tyrant Yazid, who had usurped the democratic rights and directed from the democratic traditions of Islam.[53]

Maulana Noorani said that the supreme sacrifice laid by Hazrat Imam Hussain is a beacon of light for the entire Muslim *Ummah* as he taught us not to bow before tyranny and spare no efforts to fight against it. He was of the view that those who wanted to follow the footprints of Hazrat Imam Hussain should come in the field to shoulder their religious and national responsibilities.[54]

Maulana Noorani who considered Gen. Zia as an usurper continued his criticism of the Zia regime while addressing the Lahore High Court Bar at Lahore called for constitution of a tribunal consisting of a Chief Justice of Supreme Court and Chief Justices of Lahore, Karachi, Quetta and Peshawar High Courts to inquire into the incidents of police violence in Sindh.[55]

He also warned the government against holding the elections on non-party basis.[56] Maulana Noorani who as mentioned earlier was touring Punjab on his 'meet-the-public' campaign was banned from entering Punjab for the period of three months by the provincial government under the maintenance of Public Order Ordinance.[57]

Maulana Noorani, always preferred dialog to resolve issues was left with no choice but to launch the 'Direct Action Program' of his party starting from November 1983. According to the plan in the first phase protest day would be observed throughout the country on Friday 18 November 1983 and the protest meetings would be held in mosques demanding lifting of Martial Law and restoration of democracy.[58]

JUP launched its first phase of the 'Direct Action Program' on 18th November throughout the country. Maulana Noorani in his speech of largely attended meeting held after Juma prayers in *Masjid-e-Shuhda* Liaqatabad (Karachi) demanded immediate lifting of martial law. The meeting which was presided over by Maulana Noorani passed a resolution criticizing the ban on the movement of political leaders from one province to other and demanded immediate lifting of the ban. The resolution also pointed out that the elections on non-party basis would encourage sectarianism and '*bradari'* system which is against Islam.[59]

The government registered a case against Maulana Noorani under Martial Law regulations 13 and 18 for violation of ban on the use of loud speakers in Liaqutabad police station.[60] Maulana Noorani castigated those who opposed the use of mosques for the political purposes and said that the mosques had always been the centre of all our political, social and religious activities. While commenting on the registration of cases against him for violating Martial Law regulation

Maulana said, "I am not afraid of cases registered against me for holding these meetings; I will continue to speak the truth."[61]

Earlier on a delegation of 'Sindh Unity Board' under the leadership of Maulana Noorani visited different areas of the interior Sindh. The purpose of the visit was to know about the actual political

situation and show solidarity with people in their struggle against the government. The delegation visited all the major towns and villages and met the main leaders of the movement.[62] The other members of the delegation were Professor Shah Farid-Ul-Haq Ghulam Nabi Qureshi,

Shabbir Ali Jami, Nazir Zia, Mahmood ul Haq Usmani, Abdul Majeed Khan, Nazir A. Khan, Islam Siddiqiue, Haroon Ahmed.[63] The visit of delegation of Sindh Unit Board resulted in lessoning the ethnic tension between old and new *Sindhis*.

Gen. Zia after surviving the violent protest movement of MRD spent much of 1984 in consolidating his rule while Maulana Noorani who wanted the restoration of democracy in the country put his whole hearted efforts to bring the major political parties on some consensus to launch a decisive movement against the Martial Law regime.

A meeting of *Majils-i-Shura* of JUP was held at Karachi in mid March to discuss the prevailing situation in the country. The meeting was presided over by Maulana Noorani which decided to contact other political parties to adopt a joint program for the restoration of democracy. The *Shura* also decided to hold talks with the major political parties to adopt onepoint program which was to hold election under 1973 constitution.[64]

It did not take much time when in the second week of April 1984 Maulana Noorani announced that the majority of political parties inside and outside the MRD had agreed in principal to launch a joint struggle for the realization of the one-point program suggested by his party.

He said that the negotiation conducted by JUP's special representative Prof. Shah Farid-ulHaq with the leaders of other political parties like JI, TI, PPP, NDP, PNP, Muslim League (Pagaro and Khairuddin groups) and other political leaders had been successful. According to him all the leaders had expressed their support in principle for the proposed joint struggle for the realization of the one-point program.[65]

Maulana Noorani declared that he was not against the four-point program of the MRD and considered it as the true reflection of the aspirations of the people but there were some people who still maintained some reservation about the MRD program, while one point program as suggested by his party covered all the democratic demands. According to him if the elections were announced under the 1973 constitution these would be held on adult franchise and party basis than there would be no question of separate electorate representation, participation of registered and non-registered parties and any conditions for the candidates and for the voters in that case.[66]

Commenting on the president's plan to hold election under an Islamic system, Maulana Noorani said that it was very simple to understand that the Martial Law regime was exploiting the name of Islam only to serve its purpose. He was of the opinion that the question of holding of elections was not the real issue, the real issue, he said, was the transfer of power. The government might be interested in the holding of election but it was not sincere in transfer of power. In his view, in order to avoid the transfer of power Zia regime wanted to have election of his own liking so that persons got elected to the National Assembly were willing to extend their vote of confidence to his regime.[67]

Keeping in view the criticism of Maulana Noorani and others political leaders that Zia did not want to face national elections and risk mobilization of people against him by the political parties and in order to protect himself from the future uncertainty, Gen. Zia announced his plan to hold the referendum on 1 December 1984. The aim of the referendum was to get himself elected as president for a further five year period. The referendum order 1984 was passed on 1 December, putting a complex question to the citizen which reads as follows:

> Whether the people of Pakistan endorse the process initiated by the president, General Muhammad Zia ul Haq, for bringing the laws of Pakistan in conformity with the injunction of Islam as laid down in the Holy Quran and Sunnah of the Holy Prophet (Peace be upon him) and for the preservation of the ideology of Pakistan; and are you in favor of the continuation and further consolidation of that process and for the smooth and orderly transfer of power to the elected representatives of the people.[68]

It was a loaded question couched in such a way that it could not be answered negatively in all its aspects. An affirmative vote, as stated in the order, would result in five more years of Gen. Zia as President. The JUP and MRD boycotted the referendum while JI and ML (Pagaro group) supported it. Maulana Noorani criticized the referendum and said that the people of Pakistan did not want Zia's Islam.[69]

In the referendum that was held on 19 December 1984 a few people went to the polling stations to cast their votes. However on the following day Gen. Zia announced that of 97.7% valid votes 62.2%turn out on the basis of which he had been successful.[70]

On 12 January 1985 after the referendum Gen. Zia announced elections to the National

Assembly on 25 February 1985 and the elections to the provincial assembly on 28 February 1985.The elections were to be on non-partisan basis with separate electorates for Muslims and the non-Muslims and reserved seats for women. JUP along with all parties within the MRD boycotted the elections leaving the field open largely to the independents and to the partisans of the JI and PML.[71]

One of the major demands made by the JUP under the leadership of Maulana Noorani, in the form of one-point program, had been that free and fresh elections to be held under the constitution of 1973. Consequently, any association with these non- partisan elections would have nullified the raison d'etre of JUP. Maulana Noorani strongly criticized these elections and declared that they would result in the promotion of sectarianism and regionalism in the country.

Due to his strong criticism Martial Law Regime put him under house arrest on 27 January 1985.[72] Despite of the policy decision of the JUP to boycott the elections number of its party leaders contested the elections to peruse their personal ambitions. The general election to the National Assembly and Provincial Assmblies were held peacefully and unlike the referendum the people participated in large numbers. The total turn out of the voters for the NA was 52.9%; in the Punjab 61.8%; in the NWFP 47.6%; in Sindh 49.2%; and in Baluchistan 46.6%.[73] These elections were important in the sense that the voters demonstrated their disaffection with the Martial Law Regime by defeating most people who were closely associated with Zia.[74]

In the interval between the elections and the time the newly elected Assembly was convened Gen. Zia issued his Revival of Constitution Order (RCO) on 2 March 1985. The major features of the RCO included the shifting of the balance of power in favor of the President by making the office of the Prime Minister subservient and subordinate to President. It (RCO) also envisaged the creation of National Security Council to give the military a formal role in major crises and gave the discretionary power to the president to dissolve National Assembly.[75]

Gen. Zia promulgated a new order, on 10 March 1985, enforcing all but 27 Articles of the amended constitution. Twenty-one of the Articles which were left suspended related to the fundamental rights

and writ jurisdiction of the High Court. Also un-enforced was Article 6 which described the abrogation or subversion of the constitution as a high treason punishable under the law.[76]

Under the RCO, the President was given the authority to nominate and appoint the Prime

Minister at discretion from amongst members of the National Assembly. Gen. Zia nominated, Muhammad Khan Junejo as Prime Minister on 23rd March, while handing over the power to Junejo and his government, Zia made it clear that it was not a transfer of power from a military to a civilian government. It was at best sharing of some power by the military with the newly formed civilian government.[77]

However in the first speech as the leader of the house, the Prime Minister Muhammad Khan Junejo claimed to have made it clear to the President that Martial Law should end as soon as possible. [78]
Maulana Noorani on his release which lasted for forty day house arrest told the press that his release or detention mattered little to him as the whole country had become a prison house in the presence of Martial Law.[79] "The people", he pointed out "had participated in the polls to get rid of Martial Law. Consequently, to retain Martial Law, after the electoral process had been completed, was tantamount to duping the electorates."[80]

Maulana Noorani demanded that an independent inquiry should be held by the judges of the Supreme Court and High Courts into the excesses committed during the last eight years and those found guilty be punished.[81]

Commenting on the new Prime Minister and the civilian government Maulana Noorani observed that Muhammad Khan Junejo was a noble person, but had been made powerless by concentration of power in the hands of the President. He advised the Prime Minister to enforce the Islamic Principals of justice and accountability.[82]
Maulana Noorani was of the view the political parties should change their strategy according to the changed political scenario (after the non-party elections).[83] He also demanded the release of all political prisoners, withdrawal of cases against them, restoration of fundamental rights and an end of Martial Law which he considered as the negation of Islamic tenants.[84]He also advised the youth to stand firm against the unfavorable circumstances and struggle for the safeguard of
'*Makam-i- Mustafa'* in the country.[85]

Maulana Noorani started his campaign against Martial Law with new vigor after the installation of new 'civil government'. He urged Prime Minister Junejo and newly elected representatives to put pressure on Gen. Zia to end Martial Law and restore 1973 constitution in its original form and in this regard announced his and his party's full support. In his statements,

public addresses, Friday sermons Maulana Noorani severely criticized Gen. Zia for his continuation of Martial Law despite the installment of the 'civilian government'. He was of the view that the nation's conscience had been blunted by the continuation of Martial Law.[86] He described the martial law rule as a 'Wrath of God' and disgrace to the nation.[87] He was of the view that Islam and martial law could not go together [88] and offered a deal to government that assemblies elected in the result of non-party basis could be accepted if martial law was lifted immediately.[89] He demanded the lifting of ban on political parties.[90] Maulana Noorani also demanded that a committee should be set up to investigate the living conditions of the political prisoners not only in the prison but also in the Attock and Lahore Forts and other similar cells.

He also demanded that the President, Chairman Senate, Prime Minister, and his cabinet, Senators, and MNAs should declare their assets publicly so that a record be kept for future reference in case of accountability.[91]

On the other hand, Gen Zia who's main obsession was to retain power at any cost even if it meant the negation of constitutional democracy, national integrity and national institutions, wanted civilian government formed under Junejo to accept his constitutional package of RCO.[92] In these circumstances the Constitution (Eight Amendment) Bill was moved.[93] The most controversial aspect of the Eight Amendment "was a provision validating the 1977 coup and absolving Zia and the military from legal liability for actions taken during more than eight subsequent years of martial law.[94] The Eight Amendment also gave President the power to dissolve the National Assembly at his discretion and to appoint a caretaker government.

Criticizing the Eight Amendment passed by the National Assembly Maulana Noorani said that at least 48 out of 236 National Assembly members were absent on the day it was passed.

"Everyone knows" Maulana Noorani was of the view "that the overwhelming majority of those who abstained from voting did it deliberately as a mark of protest against the authoritarian piece of legislation".[95] He pointed out that when the 1973 Constitution was adopted only one member was absent who did not sign but later he signed the document. He further said that "one can draw one's own conclusion as to which constitutional document has more consensus".[96] Maulana Noorani declared Eight Amendment as the enforcement of Constitutional Martial Law in the country.[97]

In November the *Markazi Majlis-i- Shura* of JUP met in Karachi to discuss the prevailing political condition of the country. The meeting was presided over by Maulana Noorani.[98] The meeting passed the following resolutions demanding:

i. Cancelation of the Eight Amendment and restoration of 1973 constitution in its original form with immediate lifting of ban on political parties;
ii. Enforcement of *Nizam-i- Mustafa* and *Fiqa-i- Hanfi* as the routine laws of the land; iii. Dissatisfaction on the working of *Auqaf* Department and the establishment of separate Sunni Auqaf Board under the supervision of prominent *Ahl-i-Sunnat Ulama*.[99]

Later on same resolutions were also adopted in the last session of two days convention of JUP (Karachi). The convention also adopted a resolution to ban *Rabita-i-Alam-i- Islami*.[100]

While in his presidential address Maulana Noorani criticized JI for its cooperation with the Martial Law regime of Zia ul Haq.[101] The Saudi Government reaction on adoption of resolution demanding ban on *Rabita-i-Alam-i- Islami* was that it imposed ban on the entry, of 500 *Ahl-i- Sunnat Ulama* including Maulana Noorani and other top leadership of JUP, in Saudi Arabia.[102] Similarly the government of Punjab imposed 90 days ban on the entry of Maulana Noorani in the province.[103] According to the JUP sources Zia ul Haq who considered Maulana Noorani and his party as a threat to the office encouraged a new political party by the name of *Nizam-i- Mustafa* to be launched with Abdul Mustafa al- Azhari MNA as President and Hanif Tayyab as General Secretary.[104]

Finally on 30 December 1985 after securing power through Eight Amendment and retaining the post of Army Chief Zia ul Haq announced the end of Martial Law.[105] Earlier on Political Parties Bill containing the necessary conditions for the revival of political parties was introduced in parliament in November.[106] On 18 January 1986 Pakistan Muslim League was reconstituted with Junejo as President and later on applied for registration with Election Commission in the second week of February. JUP under the leadership of Maulana Noorani also registered itself with Election Commission.[107]

After the lifting of ban on political parties Maulana Noorani started his campaigns to mobilize public support for party based elections under the 1973 constitution. He also wanted the new government to restore the 1973 constitution in its original form. He knew that Zia ul Haq keeping the position of Army Chief with Presidentship could at any time re-impose Martial Law in the country.

On his return from three months missionary tour abroad addressing a large gathering of his party workers at the Karachi Airport Maulana Noorani said that the people had to struggle hard for the real democracy in the country.[108] He launched his party's public campaign against Zia from Karachi. While addressing a well-attended public meeting at Nishtar Park Maulana Noorani referred to Prime Minister Junejo's statement wherein he stated that the doors of the government were open if opposition wish to talk, and said that nothing was final in politics and he and his party were ready for a dialog.[109] However he demanded that "besides asserting his authority as the head of government in the parliamentary system of the government, Mr. Junejo should undertake to immediately hold general elections on party bases under the 1973 constitution.[110]

Maulana Noorani expressed his conviction that *Nizam-i- Mustafa*, the main goal to which his party remained wedded, could be enforced in the country through the parliamentary system of government alone.[111] While criticizing JI he said "we are martial law *Mutasreen* (affected by martial law), while you have been martial law, '*Muttafiqeen'* (sympathizers and beneficiaries)."[112] "The JI took pride in having a cader of 5500 men" Maulana Noorani said and pointing to the audience, he said "you the supporters of *Nizam-i- Mustafa* are our heart and soul".[113] Maulana Noorani demanded that the nation be taken into confidence about an alleged loss of 300 square miles in Saichen Glacier.[114]

The JUP chief said that Afghan freedom fighters as well as refugees were their brethren but charity begins at home and therefore, 250,000 stranded Pakistanis in Bangladesh should be repatriated forthwith.[115] The following resolutions were adopted on the occasion demanded:

i. Restoration of the 1973 constitution and elections under the rules there under;

ii. Release of all political prisoners;

iii. Lifting the ban on student unions;

iv. Distribution of cultivable land to tillers;

v. Stick maintenance of law and order in Karachi;

vi. The settlement of the Kashmir dispute on the basis of UN resolutions;

vii. The political solution to the Afghan issue. [116]

Maulana Noorani believed that public meetings and rallies played important role in the organization and mobilization of the general public, [117] and undertook an extensive tour to the provinces of Sindh and Punjab in this regard.[118] Along with the public meetings he also addressed press conferences,

‘meet-the-press’ programs, convocations of religious institutions, bar councils, receptions hosted in his honor and delivered Friday sermons.

The main focus of Maulana Noorani speeches remanded Zai ul Haq’s illegal occupation of two offices (President of Pakistan and the Army Chief). He termed the eight-and-a- half years of Martial Law regime as a period of corruption and maladministration and demanded a judicial inquiry, he also opposed the strong centre and demanded provincial autonomy but opposed the idea of confederation launched by some political parties.[119] He also demanded the polls on party basis and direct talks with Babrik Kamal government in Afghanistan for the solution of Afghan problem.[120]

Earlier on, when a procession of the *Ulama* of *Jamaat-i- Ahl-i- Sunnat* brought out from Data Darbar (Lahore) was fired on by alleged members of *Islami Jamiat Tulaba* (IJT) with automatic weapons. Maulana Noorani urged Prime Minister Junejo to order the arrest of persons who fired on the procession.[121] He demanded a search be carried out at JI headquarters (Mansoora) at Lahore for seizing the weapons kept there.[122]

Deploring the firing on *Ahl-i- Sunnat* procession by the elements of IJT (Students Wing of JI)[123] Maulana Noorani said that there was a hidden hand working to create law and order situation in the country to pave way for another Martial Law.[124]

Benazir Bhutto returned to Pakistan from London on 10 April 1986 and addressed historic public meetings in all four provinces of Pakistan.[125] She demanded the resignation of Zia and fresh elections on party basis. Commenting on Benazir Bhutto’s addresses Maulana Noorani said that a leader (Benazir) was raising slogans of ‘go Zia go’ but we would not let him go without his accountability. [126] Similarly addressing a public meeting in Sakhar Maulana Noorani said that there is no permission in Islam for woman to be a ruler.[127]

Maulana Noorani considered years of Martial Law rule as the root cause of all problems in the country[128] particularly ethnic and sectarian violence which erupted in Karachi and other parts of the country.[129] He declared government responsible for these incidents just to prolong its rule[130] and announced that Pakistan and Zia could not go together.[131]

Earlier on when newly formed Muhajir Quami Movement (MQM) demanded recognition of Muhajirs as Pakistan’s fifth official nationality and a limit to Punjabi and Pakhtun immigration into Sindh province and Sindh- Baluch- Pushtn Front (SBPF) demanding for confederation.[132] Maulana Noorani condemned their demands as un-Islamic and anti- Pakistan. Maulana Noorani considered Zia ul Haq responsible for all these developments and described him as “The Lawrence of Arabia”, who dismantled “*Khilafat-e- Usmania*” (Ottoman Empire) as well as fragmented the Muslims into various nations. Maulana Noorani also accused Gen. Zia of continuing the policy of ‘divide and rule’ initiated by the British rulers. He was of the view that by holding elections on non-party basis Gen. Zia had split the nation into various sects and encouraged chauvinism in politics.

Maulana Noorani said that present rulers, particularly Gen. Zia had failed to protect the frontiers of the country and lost Siachen Glacier to India. He demanded the resignation and subsequently Court Martial of Gen. Zia for involving the army into the politics.[133]

JI and its leadership as a stanch supporter of Zia Islamization program cooperated with Martial Law regime and supported army coup of 5 July 1977 was strongly criticized by Maulana Noorani for their cooperation with Zia.[134]

In March 1987 JI and JUI senators moved a bill in senate known as *Shariat* Bill. The bill once passed proposed fundamental restricting of country's legislative, judicial and social system. Its main features were as following:

i. *Shariat* means that particular way of life which Allah has brought the last Prophet Muhammad (Peace be upon him) enjoined upon his subjects. The main source of Shariat is the Quran and Sunnah and act of *Shariat* be based upon them.

ii. All suits shall be decided with Shariat. The decision against the Shariat shall be avoided and it shall be challengeable in Federal Shariat Court (FSC) execution on it shall stand suspended till the final decision of the court.

iii. All the courts of the country shall be bound to decide all kinds of cases, including financial etc., according to the Shariat and cases decided in contravention of Shariat shall be void.

iv. No officer of the Executive, including the President and Prime Minister shall give direction which are against the Shariat, and any decision so given shall be void and may be challenges in the court law.

v. The decision of the FSC shall apply to all office bearers of the government.

vi. The non- Muslim citizens shall be free to have religious education for their children and shall have the right to get their personal affairs decided in accordance with their own religious law.

vii. Experience, outstanding and recognized Ulema shall be appointed as judges in all the courts. viii. Effective arrangement shall be made for the teaching of Shariat and Islamic jurisprudence.

ix. Mass media shall be purged from such programmes which are against the Shariat.

x. All earning of wealth through forbidden means and dealings contrary to Shariat shall be banned.

xi. No order shall be passed against the fundamental rights given by the Shariat to the citizens of the country in any order so passed shall be void and may be challenged in the court of law.

xii. This act may be called the Enforcement of Shariat Act and shall extend to the whole of Pakistan and save the personal laws of the non- Muslims. [135]

Similarly on the backing of Gen. Zia Ninth Amendment Bill was also introduced in the National Assembly of Pakistan. The Bill was aimed at enforcing Shariat Laws in the country.[136] Commenting on these developments Maulana Noorani rejected Shariat Bill and said it was being launched to save Zia ul Haq.[137]

The government announced local bodies polls which were held on 30 November 1987. JUP in a meeting of Executives Committee held at Lahore on 4th October, under the President-ship of Maulana Noorani decided to participate in the local bodies' polls in a 'big way'.[138] The Executives Committee also decided to fight elections in every constituency and partially to oppose tooth and nail all official candidates.

Maulana Noorani also announced the setting up of a special Accountability Committee by the JUP to register black deeds of Zia's government. The Committee should have its main office in Lahore and information from all over the country concerning corruption and other irregularities committed by the members of the regime should be gathered. Trails of those guilty of corruption and other crimes would be held once the JUP came into power.

Earlier on Maulana Noorani announced that Pakistan Muslim League headed by Prime Minister Junejo planned to rig polls. Finally in the local bodies polls JUP performance remained poor as in Karachi candidates of MQM took a land slide victory while in other part of the country candidates backed by PML got majority. Overall opposition performance remained

poor.[139]

The PML 'performance' in the local elections was more than satisfactory for Junejo, earlier on " soon after consolidating their position in the National Assembly and Senate, Junejo and his colleagues in the PML began to act quite independently, contrary to Zia's expectations".[140] Gradually the two leaders drifted apart[141] and finally on 29 May 1988 Gen. Zia dissolved the National Assembly on the charges of corruption and deviation from Islamization.

The "dissolution of Assembly strengthened the theory that Zia was not sincere in restoring the democracy".[142] " Zia (who) had exhausted all his political card, including Islam, to legitimize his rule or counters the growing demand for restoration of democracy" [143] finally on 20 July 1988 announced that elections for the National Assembly would be held on 16 November to be followed by those for Provincial Assemblies. However, these elections were to be held on non- party basis.[144] Earlier on, Zia ul Haq promulgated an ordinance which made Shariat the supreme law of the land on 15 June 1988.[145] The political parties and public reacted related sharply against the ordinance. Maulana Noorani and other religious and political leaders did not endorse the Shariat Ordinance.[146]

It was in the midst of this political confusion that Zia ul Haq along with the top military officers as well as the US Ambassador Raphael died in a plane crash near Bahalwalpur or 17 August 1988.[147]

NOTES

Chapter 5

[1] Qaisar, *Aik Alam*, 196-231. For Maulana Noorani's missionary tours abroad see Rana, *Tablighi Masroofiyat*, 1822. For his domestic missionary activities see *Ufaq*, 26 November – 3 December 1979,1,14; *Raza-i- Mustafa* , May 1980, 3.

[2] W. Eric Gustafson and Willaim L. Richter, "Pakistan in 1980: Weathering the Storm," *Asian Survey*, 21, no. 2, (Feb., 1981) : 162-165.

[3] Ibid.

[4] Richter and Gustafson, "Pakistan 1979,"192.

[5] Ibid., Gustafson and Richter, "Pakistan in 1980,"166.

[6] *Ufaq*, 13-20 August 1980, 3-5.

[7] Prof. Afzal Johir, interview by author, Islamabad, 5 June 2012.

[8] Gustafson and Richter, "Pakistan in 1980,"166.

[9] Constitution (Amendment) Order 1980. President's Order 1 of 1980. PLD Central Statutes 89.

[10] Ibid.

[11] Hassan Askari Rizvi, " The paradox of military rule in Pakistan," *Asian Survey* 24, no. 5 (May,1984) : 544

[12] Saddiqui, *Noorani*, 78.

[13] Shahid Javed Barki and Carig Baxter, *Pakistan under the Military; Eleven Years of Zia ul Haq*, (Colorado: West View Press 1991), 34.

[14] JUP was one of the parties which suffered most under PPP rule 1972-1977.

[15] Mazari, *Disallusionment*, 540; Rizvi, "Military rule," 551.

[16] Provisional Constitution Order 1981, CMLA's Order 1 of 1981, PLD 1981 Central Statutes 183.

[17] Ibid.; Also see Stephen Philip Cohan and Marvin G. Weinbaun, "Pakistan in 1981: Staying on," *Asian Survey*, 22, no.2, (Feb., 1982) : 140.

[18] Qaisar, *Aik Alam*, 202.

[19] Ibid.

[20] Ibid.

[21] Ibid., 212.; Maulana Noorani challenged the Punjab government orders in the Lahore High Court on 5 December. In its decision the Lahore High Court nullified the Punjab government's order.

[22] Ibid.

[23] Federal Council (Majlis- i- Shura) Order 1981. President Order No. 1506, 1981. PLD 1982 central statutes 123.

[24] Marvin G. Weinbaum and Stephen P. Cohen. "Pakistan in 1982: Holding On," *Asian Survey* 23, no. 2 (Feb., 1983) : 127; Of the 288 named to a body authorized for 350, more than 100 came from legally defunct political parties and 40 members of the *Ulama*.

[25] Qaisar, *Aik Alam*, 213.

[26] Those who were expelled from JUP for joining Majlis-i-Shura were Hafiz Taqi, Abdul Mustafa Al- Azhari, Khalil Ahmed Chishti. While after Pir of Pagaro meeting with Gen. Zia on 3rd July 1981 and joining of Majils-i- Shura by some of ML leaders and members of his party differences arose between the two parties. *Ufaq*, 15- 28 July 1981, 1,16; *Muslim* (Islamabad), 31 May 1983. For differences in JUP see *Ufaq*, 22 April- 1981,1,8; *Ufaq*, , 6 May 1981,1; *Ufaq*, 20 May- 27 May 1981, 1; *Ufaq*, 3 – 16 June 1981,1; *Ufaq*, 17-30 June 1981, 1; *Ufaq*, 1- 14 July 1981,1; *Ufaq*, 15-28 July 1981,1. Similarly Haji Hanif Tayyab was expelled from JUP for his acceptance of minister-ship in Gen. Zia's non-elected government.

[27] Qaisar, *Aik Alam*, 219.

[28] Ibid., 218-220. National Press also appreciated Maulana Noorani's formula see *Akhbar-i- Jahan*, 15-22 February 1982.

[29] The *Muslim (Islamabad)*, 26 August1982; *Nawa-i- Waqat (Rawalpindi)*, 6 September 1982.

[30] *Dawn (Karachi)*, 12 November 1982; *Muslim (Islamabad)*, 24 November 1982. For the details of Maulana Noorani's efforts to hold the Round Table Conference see *Nawa-i- Waqat (Rawalpindi)*, 25 August 1982; The *Muslim (Islamabad)*, 26 August 1982; *Jasarat(Karachi)*, 27, 29 August 1982; *Nawa-i- Waqat (Rawalpindi)*, 6 September 1982. *Jasarat (Karachi)*,,13 October 1982; *Jang (Rawalpindi)*, 14 October 1982; *Dawn (Karachi)*,14-15 October 1982; *Nawa-i- Waqat* (*Rawalpindi*), 2 November 1982; *Jasarat (Karachi)*,3 November 1982; *Nawa-i- Waqat (Rawalpindi)*, 3 November 1982; *Jang* (*Rawalpindi*), 4 November 1982; *Muslim (Islamabad)*, 4 November 1982.

[31] *Muslim (Islamabad)*, 24 November 1982.

[32] Qaisar, *Aik Alam*, 239.

[33] Cited in S.S. Bindra, *Politics of Islamization with special reference to Pakistan*, (New Delhi: Deep and Deep Publications, 1990), 239-41.

[34] Rizvi, "Military rule,"538.

[35] Qaisar, *Aik Alam*,239.

[36] Khan, *Constitutional History*, 363-4.

[37] As quoted in Khalid Bin Saeed, "Pakistan in 1983: Internal stress more serious than the external problems," *Asian Survey* 24, no. 2 (Feb., 1984) : 220.

[38] Qaisar, *Aik Alam*, 239.

[39] *Muslim* (*Islamabad*), 13 March 1983.

[40] Qaisar, *Aik Alam*, 241.

[41] *Dawn (Karachi)*, 26 August 1983.

[42] Ibid.

[43] *Muslim (Islamabad)*, 23 August 1983.

[44] Mumtaz Ahmed, "The Crescent and The Sword: Islam, The Military, And Political Legitimacy In Pakistan, 19771985," *Middle East Journal* 50, no. 3 (Summer, 1996) : 376.

[45] *Muslim (Islamabad)*, 10 October 1983.

[46] *Dawn (Karachi)*, 10 October 1983.

[47] *Muslim (Islamabad)*, 10 October 1983.

[48] *Muslim (Islamabad)*, 11 October 1983; *Morning News (Karachi)*, 11 October 1983.

[49] *Muslim (Islamabad)*, 10 October 1983; The JUP team was headed by Maulana Noorani, comprised of Maulana Abdul Sattar Niazi, Prof. Shah Faridul Haq, Pir Syed Barakat Ahmed and Lt. Gen.(R) K. M. Azhar while government team was led by President Zia-ul-Haq and comprised of Mir Ali Ahmed Talpur (Minister for Defense) Raja Zafar-ul-Haq (Minister for Information and Broadcasting), Mahmood A. Haroon (Minister for Interior), Ghulam Ishaq Khan (Minister for Finance) and Lt. Gen. K. M. Arif.

[50] *Dawn (Karachi)*, 12 October 1983; *Nawa-i-Waqat (Rawalpindi)*, 12 October 1983; *Muslim (Islamabad)*, 16 October 1983. Later on the defunct political parties' whom President invited for talks were *Jamait-i- Ulama-i-Islam* (Darkhasti group), *Jamat-i-Islami* and Pakistan Muslim League (Pagaro group).

[51] *Nawa-i-Waqt (Rawalpindi)*, 13 October 1983; *Hyder (Rawalpindi)*, 13 October 1983.

[52] *Dawn (Karachi)*, 16 October 1983.

[53] *Muslim (Islamabad)* , 15 October 1983.

[54] Ibid.

[55] *Muslim (Islamabad)*, 27 October 1983.

[56] *Muslim (Islamabad)*, 26 October 1983.

[57] *Dawn (Karachi),* 4 November 1983; *Hyder (Rawalpindi),* 7 November 1983.

[58] *Muslim (Islamabad),* 15 November 1983.

[59] *Muslim (Islamabad),* 19 November 1983. *Dawn (Karachi),* 19 November 1983.

[60] *Muslim (Islamabad),* 21 November 1983.

[61] *Muslim (Islamabad),* 26 November 1983

[62] *Jang (Karachi),* 20,21,22,24 November 1983.

[63] *Jang (Karachi),* 21 November 1983 [64] *Muslim (Islamabad),* 11 April 1984.

[65] Ibid.

[66] Ibid. [67]

Ibid.

[68] President's Order No. 11 of 1984, The Referendum Order, 1984, Gazette of Pakistan extraordinary, Part I, of 1 December 1984.

[69] Interview Maulana Noor Muhammad.

[70] *Pakistan Year book 1987-88* (Karachi: East and West Publishing Company), 235. For the details see William L. Richter, "Pakistan in 1984: Digging In." *Asian Survey* 25, no. 2 (Feb., 1985) : 145-154.

[71] Mazari, *Disillusionment*, 567; William L. Richter,"Pakistan in 1985: Testing Time for the New Order," *Asian Survey* 26, no. 2 (Feb., 1986) : 208.

[72] Interview Maulana Noor Muhammad.

[73]Richter ,"Pakistan in 1985," 208.

[74] Ibid., 209. Five of the Gen. Zia's Cabinet ministers and one minister of state lost the elections. Similarly JI the only political party which was allowed to participate as a political organization in the elections also lost miserably. Jamaat's association with Zia was an important factor in its poor showing in the polls, particularly so when it had no political organization opposing it.

[75] For the detail of RCO see Khan, *Constitutional History*, 369-373.

[76] *Muslim (Islamabad),* 11 March 1985.

[77] Khan, *Constitutional History*, 374.

[78] Division of Films and Publication, Ministry of Information and Broadcasting, Islamabad, *Muhammad Khan Junejo: Taqrir* Part-I, 24 March- 30 June 1985, (Islamabad, n.d.),11.

[79] *Dawn (Karachi),* 29 March 1985; *Nawa-i- Waqat (Rawalpindi),* 30 March 1985.

[80] Ibid.

[81] Ibid.; *Muslim (Islamabad),* 30 March 1985; *Star (Karachi),*31 March 1985.

[82] Ibid.

[83] *Nawa-i- Waqat (Rawalpindi),* 31 March 1985. In this regard Maulana Noorani contacted Asghar Khan President of TI. *Hyder(Rawalpindi)*, 30 March 1985.

[84] *Muslim (Islamabad),* 30 March 1985.

[85] *Hurriyat (Karachi),* 31 March 1985; *Jang (Rawalpindi),* 1 April 1985; *Hyder (Rawalpindi),* Editorial, 3 April 1985.

[86] *Dawn (Karachi)*, 14 June 1985.

[87] *Dawn (Karachi),* 30 June 1985.

[88] *Jasarat (Karachi),* 17 June 1985.

[89] Interview Muhammad Khan Laghari.

[90] *Star(Karachi)* , 24 June 1985.

[91] *Dawn (Karachi),* 3 April 1985. For his campaign against the continuation of Martial Law and other issues related to it see *Star(Karachi)* , 3 April 1985; *Muslim* (*Islamabad*), 3 April 1985; *Jasarat* , 3 April 1985; *Jang (Rawalpindi),* 3 April 1985; *Nawa-i- Waqat (Rawalpindi),* 5 April 1985; *Jang (Rawalpindi),* 9 April 1985; Editorial in *Hyder (Rawalpindi)*, 10 April 1985; *Jasarat (Karachi)*, 12 April 1985; *Hurriyat(Karachi)*, 12 April 1985; *Jasarat (Karachi)*, 13 April 1985; Jasarat*(Karachi)*,19 May 1985; *Hurriyat(Karachi)*, 9 June 1985; Jasarat *(Karachi)*, 13 June 1985; *Jasarat (Karachi)*,17 June 1985;Mashriq (Lahore), 18 June 1985;*Hurriyat*, 20 June 1985; *Star*, 24 June 1985; Star, 25 June 1985; *Nawa-i- Waqat (Rawalpindi),* 29 June 1985; *Hyder*, 1August 1985, 25 August 1985, *Hurriyat*, 30 August 1985; *Nawa-i- Waqat (Rawalpindi),* 31 August 1985; *Mashriq*, 31 August 1985; *Hyder (Rawalpindi),*, 3 September 1985; *Hurriyat(Karachi)*, 28 September 1985; *Jasarat(Karachi)*, 20 October 1985; *Dawn (Karachi)*, October 1985; *Muslim (Islamabad),* 10 October 1985, Muslim(Islamabad),13 October 1985; *Jasarat (Karachi)*,13 October 1985; *Hyder (Rawalpindi),* 14 October 1985.

[92] Khan, *Constitutional History*, 374-6.

[93] Eight Amendments modified five Articles and two schedules of 1973 Constitution. For details see William L. Richter, “Pakistan in 1985,” 210.

[94] Ibid.

[95]*Muslim (Islamabad),* 19 October 1985.

[96] Ibid.

[97] *Nawa-i- Waqat (Rawalpindi),* 9 November 1985.

[98] “Karardad No. I,II, III,IV” D, 9 November 1985, Private Collection, Maulana Jameel Ahmed Naeemi, Karachi, 1-

4.

[99] Ibid; Minutes of the Shura Meeting, 2-4.

[100] Religious organization of the Saudi Government.

[101] *Jasarat (Karachi),* 11 November 1985.

[102]*Hyder (Rawalpindi),* 12 November 1985.

[103] *Muslim (Islamabad),* 14 November 1985.

[104] Interview Maulana Noor Muhammad.

[105] Eliza Van Hollen, "Pakistan in 1986: Trials of Transition," *Asian Survey 27,* no. 2 (Feb., 1987) : 144.

[106] Richter, "Pakistan in 1985," 210.

[107] *Nawa-i- Waqat (Rawalpindi),* 27 April 1986.

[108] *Hurriyat (Karachi),* 20 February 1986.

[109] *Dawn (Karachi), 1 March 1986.* It was estimated that more than 3 lakh people attended the meeting. A midst scenes of enthusiasm were witnessed and sensing the exuberant mood of the people JUP speakers, including Maulana Noorani made emotional speeches and were readily rewarded by the responsive crowd. As Maulana Noorani rose to speak he was greeted with full enthusiasm. The entire audience stood up and raised full- throated slogans like 'Mard-i- Haq, Mard-i- Haq, Noorani, Noorani, and 'I like, You like Noorani, Noorani, and we all like Noorani'. The other speakers who addressed the meeting were Maulana Abdus Sattar Niazi, Pir Syed Barka'at Ahmed Shah, Shah Farid-ul Haq, Sufi Ayyaz Khan Niazi, Malik Muhammad Akbad Saqi, Maulana Jameel Ahmed Naime, Sahibzada Abul Khair Muhammad Zubair, Siddique Rathore and Mufti Ghlam Qadir of Azad Kashmir. Ibid., *Jang (Karachi),* 1 March 1986.

[110] Ibid.

[111] Ibid.; *Jang (Rawalpindi),* 1 March 1986.

[112] Ibid. [113] Ibid.

[114] Ibi.; For the details of Saichen Glacier dispute between India and Pakistan see Omer Farooq Zain, "Saichen Glacier Conflict: Discordant in Pakistan- India Reconciliation," *Pakistan Horizon* 59, no. 2, (Apr., 2006), 73-82.

[115] *Dawn,* 1 March 1986; *Jang (Rawalpindi),* 1 March 1986.

[116] Ibid.

[117] *Nawa-i- Waqat (Rawalpindi),* 1 May 1986.

[118] He addressed the following public meetings in both the provinces; Hyderabad (Paccha Qila), 21 March 1986; Faisalabad (Iqbal Park, Dhobi Ghat), 4 April 1986; Lahore (Mochi Gate), 10 April 1986; Multan (Shujaabad), 12 April 1986; Bahawalpur (Gulzar Sadiq), 14 April 1986; Sakhar , 18 April 986; Chishtian, 17 April 186; Rawalpindi (Liaqat abad), 25 April 1986; Mianwali (Municipal Stadium), 4 May 1986; Sargodha, 2 May 1986; Muzafar Ghar, 25 October 1986 and Sialkot, 2 November 1986. For the details of the above mentioned public meetings see *Nawa-i- Waqat (Rawalpindi),* 22 March 1986; *Dawn (Karachi),* 5 April 1986; *Mashriq (Lahore),* 11 April 1986; Jang (Rawalpindi), 13 April 1986, *Muslim (Islamabad),* 18 April 1986; *Mashriq (Lahore),* 19 April 1986; *Jasarat*

(Karachi),Hurriyat (Karachi), Nawa-i- Waqat, Jang (*Rawalpindi,* 26 April 1986; *Hyder (Rawalpindi), Hurriyat (Karachi)*,,3 May 1986; *Jang (Rawalpindi*), 5 May 1986; *Dawn*, 26 October and 2 November 1986 respectively. Similarly along with the public addresses he attended / addressed press conferences, meet the press programs, convocations of religious institutions, bar councils, receptions hosted in his honour and also talked to the news men. For all this see: *Dawn (Karachi),* 5 April 1986; *Hurriyat (Karachi)* , 16 April 1986; *Nawa-i – Waqat* (*Rawalpindi*) 20 March 1986; *Mashriq(Lahore),*12 April 1986; *Nawa-i– Waqat (Rawalpindi),* 13 April 1986; *Hyder(Rawalpindi)*, 15 April 1986; *Nawa-i- Waqat (Rawalpindi),* 27 April 1986; *Hyder(Rawalpindi),* 29 April 1986; *Jang (Rawalpindi),* 27 April 1986; *Dawn (Karachi),* 6 May 1986; *The Nation (Lahore),* 6 November 1986.

[119] *Frontier Post (Peshawar),* 19 March 1987.

[120] Ibid.

[121] *Frontier Post (Peshawar),* 10 March 1988.

[122] Ibid.

[123] For IJT see Seyyed Vali Raza Nasr, " Students, Islam and Politics: Islami Jami'ati- Tulaba in Pakistan," *Middle East Journal* 46, no.1, (Winter, 1992) : 59-76.

[124] *Frontier Post (Peshawar),* 10 March 1988.

[125] Hollen, "Pakistan in 1986," 146.

[126] *Jasarat (Karachi)* , 26 April 1986.

[127] *Mashriq (Karachi)* , 19 April 1986.

[128] *Morning News (Karachi),* 16 March 1987.

[129] For the details of these incidences see Hollen, "Pakistan in 1986,"148-9; For details on Karachi riots between Muhajirs and Pathans see Akmal Hussian, " Karachi riots of December 1986: Crisis Of State And Civil Society In Pakistan," *Economics and Political Weekly* 22, no.1 (14 March 1987) : 450-1.

[130] *Pukar (Islamabad),* 2 February 1987.

[131] *Jassarat (Karachi),* 31 January 1987.

[132] Hollen, "Pakistan in 1986," 149.

[133] *Frontier Post (Peshawar),* 19 March 1987. For Maulana Noorani statement against Zia, Junejo Government, SBFP, Ethnic Sectarianism, violence and regionalism see *Dawn (Karachi),* 7 February 1987; *Jang (Rawalpindi)* , 4 March 1987; *Muslim (Islamabad),* 6 March 1987; *Dawn (Karachi),* 15 March 1987; *Dawn (Karachi)* , 4 May 1987; *Nawa-i-Waqat (Rawalpindi),* 14 May 1987; *Nation* (Lahore), 21 May 1987; *Dawn (Karachi),* 21 May 1987; *Morning News (Karachi),* 2 June 1987; *Nawa-i- Waqat (Rawalpindi),*10 June 1987; *Jassarat (Karachi),* 19 June 1987; *Muslim (Islamabad),* 20 July1987; *Dawn (Karachi),* 12 August 1987; *Frontier Post (Peshawar),* 28 Augst1987; *Jang (Rawalpindi),*28 August1987; *Nawa-i- Waqat (Rawalpindi),* 28 August 1987; *Frontier Post (Peshawar),*29 August 1987; *Mashriq* (Lahore), 28 August1987; *Dawn(Karachi),* 3 September 1987; *Nation* (Lahore), 20 September1987; *Dawn (Karachi),* 24 September 1987; *Nawa-i- Waqat (Rawalpindi),* 24 September1987; *Jassarat(Karachi),* 1 October1987.

[134] Ibid.

[135] Bindra, “Politics of Islamization”, 260-1.

[136] Ibid., 259.

[137] *Frontier Post (Peshawar),* 14 March 1987.

[138] *The Nation* (*Lahore*), 5 October 1987.

[139] Maulana Noorani blamed government use of official power to get its candidates elected similarly in case of MQM he was of the view that MQM propagated ethnicity and also threatened other candidates to get victory Interview Maulana Noor Muhammad. Although Local Bodies polls were formally held on non- party basis, party candidates were allowed to contest these elections a significant change in the rules. In the previous elections (1979, 1983) a large number of candidates were disqualified for party affiliations, while in November only those who used party platforms, symbols and flags were disqualified… Technically the elections were party less but practically all parties were actively involved.’ Rasul B Rais, “Pakistan in 1987: Transition to Democracy”, *Asian Survey* 28, no. 2 (Feb., 1988), 130.

‘In the nationwide local bodies elections held in November the leading PML won a large number of 75000 seats… however the big surprise was the victory of MQM in Karachi and Hyderabad.’ Mohammad Wassem, *Politics and the State in Pakistan* (Lahore: Progressive Publishers, 1989), 424.

[140] Rasul B Rais, “Pakistan in 1988: From Command to Conciliation Qualities”, *Asian Survey* 29, no. 2 (Feb., 1989) : 199.

[141] There were different reasons for this drift; the most important was “Junejo assertion for his Prime-Ministerial role specially with regard to the military. Craig Baxter, “Restructuring the Pakistan political system”, in Shahid Javed Burki and Craig Baxer, (ed.) *Pakistan under the military: Eleven years of Zia ul Haq* (Bolder: Western Press, 1991),44; For the detail discussion on this topic see Rais, “Pakistan in 1988,” 199-200; Omer Noman, “Pakistan and General Zia: Era and Legacy,” *Third World Quarterly* 11, no. 1 (Jan., 1989) 28-54. 41-4.

[142] Rias, “Pakistan in 1988”, 201.

[143] Ibid.

[144] Waseem , *Politics in Pakistan,* 431.

[145] Bindra, “Politics of Islamization,” 262.

[146] Ibid., 263.

[147] Waseem, *Politics in Pakistan,* 431.

Chapter 6
Democratic Interlude-I
(First Terms of Benazir Bhutto and Nawaz Sharif)
1988-1993

With the death of Gen. Zia the two offices of the President and the Chief of Army Staff (COAS) were separated. Zia remained under a constant pressure from the opposition to shed his uniform which he refused to do. Now after him, the Senate Chairman Ghulam Ishaq Khan took over as acting President, while the Vice Chief of Army Staff Gen. Mirza Aslam Baig was promoted to become COAS. The former announced that the general election fixed by Zia on 16 and 19th November for National and Provincial Assemblies respectively would be held on schedule. He also declared emergency in the country and formation of an Emergency Council which included the President, the three services chiefs, the Chief Minister of Punjab, NWFP and Baluchistan, the Governor of Sindh, and five Federal Minister.[1] While the later declared that Army was to stay out of politics and that if it would help maintain law and order and see that the elections were held peacefully.[2]

Highlighting the American's concerns on the political situation in the country after Zia the prominent political scientists commented:

> In contrast to Pakistani delight the Army Chief's is outspoken commitment to civilian rule and democracy. Washington has rather conveyed its misgivings on General Baig's appointment. A senior Pentagon official who knows Baig warned that 'he is independent minded and unpredictable; unlike other Pakistani Generals he has not been particularly friendly with us.' There is widespread fear that, 'if he decided to seize power he could not be counted on to continue close military cooperation with us'. So there was 'the danger of the US intervention to support an internal military coup against General Baig' for which "The US can probably find accomplices…in Pakistan. Prominent Zia loyalists, determined to retain power, are grouped in the Muslim League splinter whose leaders had provincial governments. Men like General Fazal-e-Haq (former general and member of Zia's own guard), Nawaz Sharif (Industrialist who is the Punjab Chief Minister) and Dr.
>
> Mehboob-Ul-Haq (the present Minister for planning and finance and Zia's most prized technocrat), combine power, opportunism and shrewdness. With US support, they can drag Pakistan back on the road of 'guided democracy.' [3]

Maulana Noorani, while talking to newsmen, declared that the country could not afford another Martial Law as Pakistan was not created for dictators and a particular ruling class.[4] He said that during the past 11 years, the name of Islam was always exploited and no concrete measures were taken to enforce Islamic Order in the Country.[5] He added that had prompt action been taken with regard to Islamisation, conditions would have changed by then. Maulana Noorani pointed out that the late Gen. Zia had dissolved the non-party assemblies but the same non-party elements whose

reputation was not good had now entered into power from the back door. He said that in order to streamline the political structure of the country, elections should be conducted on party basis.[6]
After Zia, there were certain issues which characterized the political situation in Pakistan with uncertainly. One of them was the demand of political parties to remove the allegedly Federal and Provincial Governments.

Maulana Noorani was of the view that to expect free and fair elections in the presence of partisan caretaker governments would mean to live in fool's paradise. He said that these governments would do rigging in the elections which would result in agitation, promotion of politics of violence, harm to the democratic process in the country and would results in the imposition of martial law.[7]

Another issue was holding elections on a party basis. It remained a hot issue. The

Government's protracted silence gave rise to various speculations about its real intentions in this matter.

In this regard Maulana Noorani was of the view that the President should have announced party-based elections on the demand of all the political parties without waiting for the Supreme Court decision.[8]

Still another important issue creating uncertainly regarding political situation in Pakistan was the demand of the political parties for the appointment of a new Chief Election Commissioner. The demand was based on the Chief Election Commissioner's association with the controversial 1984 Presidential referendum and the 1985 non-party elections. Both these exercises were denied legitimacy by the major political parties including JUP. However President Ishaq Khan did not accept the opposition demand to dismiss Justice Nusrat from the position of Chief Election Commissioner, Maulana Noorani called this decision of the President an act which made the working of the political parties difficult.[9]

Despite all these major issues characterizing the political situation of the country with uncertainly; Maulana Noorani, as a seasoned politician, was unwilling to take the risk of not preparing his party for the elections, even when there was only a slight chance of their taking place.

Maulana Noorani started the election campaign of JUP by reiterating that his party's struggle for the enforcement of *Nizam-i-Mustafa* (Peace be upon him) in the country would continue. Addressing a public meeting in Liaqatabad Karachi, Maulana Noorani said, "We will give our lives for the implementation of *Nizam-i-Mustafa* (Peace be upon him)".[10] He maintained that no one could stop the enforcement of *Nizam-i-Mustafa* (Peace be upon him) and he and his party did not believe in the politics of violence or revenge. He also made it clear that they (Maulana Noorani and his party JUP) were not power hungry and would continue their struggle till the achievement of objectives.[11]

While addressing the *Ulama* convention at Lahore Maulana Noorani criticized both PPP and

Pro-Zia politicians and called them "the political opportunists" who according to him were "trying to exploit dead bodies to promote their vested interests".[12] He was confident that people would reject such political "*Mujawirs*".[13]

With the bold and timely decisions of the Punjab High Court and Supreme Court which made the prospect of general elections clear.[14] Maulana Noorani started his efforts to form an electoral alliance with other political parties. In this regard he had meetings with several politicians.[15]

And finally an alliance was formed by JUP led by Maulana Noorani, TI led by Muhammad

Asghar Khan and PML (J) led by Muhammad Khan Junejo.[16] The alliance was named as Pakistan Awami Ittihad (PAI).[17]

However just two days before the filling of the nomination papers PML(J) left its partners in the PAI to become a part of the Islami Jamhoori Itehad (IJI).[18] The PPP's mass support and its prospects of emerging as the majority party in the National Assembly pushed its divided opponents into forming IJI which comprised the JI, the PML (Fida), the JUI (Darkhawsti Group), the National People's Party (NPP), the *Markazi Jamiat Ahle Hadith*, the *Jamiatul Masha'ik*, the
Hizbe Jihad, Fakhar Imam's Azad Group, Bizenjo's PNP, Nawabzada Nasrullah Khan's PDP, Sherbaz Mazari's NDP, Fatehyab Ali Khan's MKP, Mairaj Muhammad Khan's QMA and Malik Qasim's faction of the Muslim League.[19]

PML (J)'s leaving of PAI was a great set back to the JUP and TI. According to TI chief the director general of the ISI at the time Gen. Hamid Gul was responsible for the formation of IJI and for its success in the 1988 elections.[20] Maulana Noorani while addressing a press conference told newspersons in a sarcastic tone that Mr. Muhammad Khan Junejo was 'hijacked' by the official Muslim League just a few days after the formation of PAI.[21] Maulana Noorani said, we wanted him (Junejo) to maintain the character which he gained after 29th May dissolution of Assemblies.[22]

He blamed Mr. Junejo that he went back from his own words regarding the impossibility of the

reunification of Muslim League 'J' and 'F'[23] when the initial negotiations for the formation of the

PAI were held on 8th October.[24] But, Maulana Noorani said just a week after we met on

16th October at Lahore by that time PML (F) had merged with PML(J). 'I asked Mr. Junejo that he should direct his party members to resign from the caretaker governments. He promised that he would take up the issue but he did not.[25]

Maulana Noorani said that Mr. Junejo should be approached to know why a special plane had been sent to take him to Lahore when he had a commitment to attend Alliance's meeting in Karachi on the same day.

He said that PAI was not an electoral or temporary alliance but formed for a period of five years. He was of the view that both JUP and TI had been opposing Ziaism in all forms and could not become party to perpetuate it in any form. "Zia's martial law was an era of corruption, gun running, narcotics trafficking and so-called Islamization. Referring to IJI, Maulana Noorani said that both TI and JUP could not compromise with Ziaism. [26]

November 1988 elections had revolved the question who would be the next Prime Minister of Pakistan. The PPP gave tickets to the largest number of candidates 183 followed by the IJI at

172. Both fielded serious candidates while other parties like MQM field only 14 candidates and

ANP fielded only 1 candidate in Punjab and 18 in NWFP. This pattern reflected a pragmatic approach to electoral politics, based on ethnic and historical facts. As opposed to this realism, a second election strategy was adopted by the PAI. While it was thinly spread throughout the country, the number of its serious candidates fell short of two digits.[27]

The grand competition between the PPP and the IJI dominated the November 1988 election scene. Both sides took to negative campaigning without positively asserting party manifestos (Programs). 'The real focus was on where it hurt the other party most. The PPP was relying mainly on the increased Public sympathy for the Bhutto family, which played a significant role in making PPP popular among masses. While the IJI was generally believed to be an extension of the military-bureaucratic establishment.

Maulana Noorani in his election campaign criticized both PPP and IJI for their past records and called them different sides of the same useless coin and asked people to vote for PAI who's component parties JUP & TI had a un-blemished past. Maulana Noorani was of the view that only PAI had the real and honest leadership which could turn Pakistan into an Islamic democratic country.[28]

Maulana Noorani was aware of the fact that politically Islam had functioned throughout Zia's rule as a source of legitimating and had lost its appeal to masses as an election slogan. According to him though Zia did nothing practically for the real enforcement of Islam yet he believed if a government uproots bribery, check price hike, control the use of narcotics, provide justice, health facilities and education to its citizens that would be the *Nizam-i-Mustafa*.[29]

Ironically one of the most visible issues of the 1988 election campaign was related to the status of women in Islam[30] and the main focus of IJI remained that in Islam a woman could not be a head of state. It was in fact JI's effort to mount a vehement campaign from the IJI's platform against the PPP.[31] According to Maulana Noorani he agreed with the *Ulama* point of view that a woman could not be a head of State but it should not just be used as a political stunt. He pointed out that Maulana Maududi (the founder and head of JI) supported Muhtarma Fatima Jinnah in the 1965 Presidential elections against President Ayub Khan and announced that a woman could be a head of state.[32]

Another issue which dominated the election campaign was the rise of ethnic and militant politics by Muhajir Qaumi Movement (MQM) in urban areas of Sindhh. MQM was officially formed in 1984 by turning to ethnic (Muhajir) identity politics and breaking with the earlier

Muhajir ideology of religious solidarity. Traditionally Muhajir dissent was rather voiced by

Islamic parties like the JUP, which was a largely Muhajir dominated political party.[33]

To some extent, the MQM was a direct result of the mass-migration between partition in August 1947 and April 1951, when the borders between India and Pakistan were open and eight million Muslims moved from India to Pakistan.

The vast majority of Urdu speaking Muslims after migration from the united provinces (now called Uttar Pradesh), Bihar, Gujrat, Rajhistan, Bombay and Deccan settled in Karachi, the new designated capital city of Pakistan as well as the old capital of Sindh. Many migrants also dispersed to smaller towns and cities of Southern provinces of Sindh like Hyderabad, Mirpur Khas, Nawab Shah and Sakkar.[34]

By the 1951 census, close to 55% of the population of Karachi was Muhajir. Initially, the Muhajir elite dominated the Muslim League and the bureaucracy and therefore had a considerable weight in the process of State building. The MQM claims that Ayub Khan's government (1958-69) was guilty of systematic discrimination against the Muhajirs in Urban

Sindh, and perceives Ayub's decision to move the capital from Karachi to Islamabad as a

deliberate attempt to marginalize the Muhajirs.[35]

Muhajir suffered further set-back in the 1970s, when the first democratically elected government led by Zulfiqar Ali Bhutto of the Pakistan People's Party introduced reservation quotas of civil service jobs and educational institutions based on ethnicity.[36] Sindh was given a 19% share in the Federal bureaucracy, under Bhutto's government. For recruitment into federal and provincial bureaucracies and admission into educational institutions, further allocation was made on rural (60%) and Urban (40%) 'domiciles' in Sindh. The rural/urban quota, in practice, meant an ethnic quota for Sindhis (rural) and Urdu speaking Muhajirs (urban). The Muhajirs continued to dominate the federal bureaucracy and management positions in the private sector, but the quota system limited their opportunities at the provincial level and created competition at the federal level.[37]

Maulana Noorani and his party which was in opposition strongly opposed the imposition of quota system but in vein.[38] The language controversy in the early 1970s further alienated the Muhajirs from PPP's government.[39] Therefore Muhajirs threw themselves, wholeheartedly into the PNA anti-Bhutto agitation which eventuated in the military coup d'etat in July 1977. Indeed,

Gen. Zia's Martial Law came as a welcome stock-taking breather for, up to a point, self-siege Muhajirs.[40]

Sindh's political alienation and resentment burst into a powerful Anti-Martial Law Movement in rural Sindh initiated by MRD in 1983 which was brutally crushed by the military regime, killing hundreds of Sindhis. Maulana Noorani and his party fully supported MRD AntiMartial Law Movement. Despite of his efforts mostly urban Sindh remained quiet and did not share Sindh's disgust with the military regime.[41]

From now onwards General Zia's military regime began to cast around for potential political counterweights to neutralize rural Sindh's radical politicizations and strong critics of his regime in the form of JUP led by Maulana Noorani. Thus "the military regime's divide and rule policy led to a new Muhajir political formation-MQM, in March 1984"[42]

In its early years, the MQM turned to ethnicity by proclaiming that Muhajirs constituted a *Qaum* (nation) not just an ethnic group.[43] The MQM began to make its name, however, with the large scale ethnic violence that broke out in the mid 1980s. The first in a series of ethnic riots occurred in 1985 when a bus driver (a *Pakhtun*) killed a (*Muhajir*) student in a traffic accident. Muhajir protested against this by destroying the property of Pakhtun settlers. The Pakhtuns retaliated swiftly by killing Bihari Muhajirs in the Orangi Township slum the next day. The violence escalated when competing Pakhtun and Muhajir criminal gangs, both involved in drug trafficking, also got involved. The mayhem lasted for several days, but ethnic violence repeated itself in the fall of 1986 and in September 1988. In all cases, the Muhajir youth was involved fighting Pakhtun settlers in 1985 and 1986 and confronting Sindhis in 1988.[44]

The MQM youth skillfully made use of violence by presenting itself as the only party that was capable of offering Muhajir victims protection, rehabilitation and revenge. The military government did very little in terms of protection and aid, leaving it to non-governmental organizations to run refugee camps and provide shelter and medical care.[45]

Maulana Noorani condemned this state of affairs and declared government responsible for these acts of ethnic violence just to prolong its rule.[46] Addressing a training convention organized by Anjuman-i-Naujawanan-i-Islam (ANI) (Society for the youth of Islam) Maulana Noorani asserted that the feelings of hatred had been so provoked that it had no end. Mothers were being deprived of

their sons but the killers were wandering freely. He urged the youth to pledge that they would not become a tool in the hands of anybody as the vested interest group

(MQM) taught the youth to hate the people of other provinces.[47]

He advised the youth to play their role in creating a respected society free from violence.

“Sindh is no man’s property” Maulana Noorani said and warned “nobody can become a king of Sindh after separating it from Pakistan”.[48] He was of the view that the youth would never allow this ugly dream to come true.[49]
Maulana Noorani said that the hatred and provincialism were the products of Martial Law. However his party (JUP) had raised its voice in Assemblies against the quota system. He concluded his address by saying “To fight against the injustice is the tradition of Hazrat Imam Hussain (R.A) and unjust killing is the tradition of Yazeed”.[50]

The MQM which flexed its electoral muscle in 1987 local bodies elections and swept the board in urban Sindh by defeating other established parties, in its campaign leading to the national elections of 1988, continued to propagate Muhajir ethnicity and mobilized the Muhajir vote behind its program for more government jobs and increased seats for Muhajir youth in institutions of higher education.[51]

In an interview to Nawa-i- Waqt Maulana Noorani strongly criticized MQM and asked that how many unemployed people were given jobs in the last three years and how much bribery, corruption and mismanagement were done away from Karachi Municipal Corporation. He was of the view that even people had to make the arrangements for the cleanliness of their areas instead of Municipal Corporation. He said that in place of it job appointment letters, brooms were placed in the hands of the youth. Maulana Noorani asked if that was MQM struggle for

rights.[52]

Maulana Noorani, who himself was a migrant from (Meerit) India, while criticizing the use of the term Muhajirs (Migrants), by MQM (migrants from India and Bangladesh), declared that we considered Pakistan our homeland and how could then we were migrants. He pointed out that the Afghan refugees were in fact migrants (who left their homes after Soviet invasion in Afghanistan in 1979) and their arrangements were being made after Geneva accord to return them to their own country. According to him, he did not believe in different nationalities because we struggle for united Muslim Pakistan. [53]

Maulana Noorani believed in peaceful struggle for the achievement of one’s objectives and did not approve of the use of hatred, ethnicity and terrorism to get one’s rights. He was of the opinion that only an oppressor should be held responsible for oppression not all, and the struggle for rights should not be converted into a class struggle.

Maulana Noorani demanded the government to uphold the sanctity of ballot box and must conduct free and fair elections without consideration of who would win. He warned that in the case of rigging in the elections it would be difficult to stop the pro-federation party (PPP) to side with separatist elements in Sindh which could result in the separation of Sindh from Pakistan.[54]

He highlighted that his party had taken part in the elections thrice and always remained peaceful, but a linguistic organization (MQM) had been disrupting his party’s meetings. He mentioned the incident in Maler (Karachi) in which according to him MQM workers disrupted his party’s public

meeting by firing on it, with automatic weapons, for several hours. He criticized the government for not taking action against such organizations and believed that these linguistic/ethnic and regional organizations were doing these acts of terrorism on the backing of pro-martial law elements to provide them an excuse to postpone the elections. He pointed out that such an act would be fetal for the solidarity of the country.[55]

Maulana Noorani was of the opinion that MQM was frightened from the successful public meeting of his party because of that they were terrorizing his party's workers. He was optimistic that their (MQMs) *Kalashankof* (means use of force & violence) could not stop our (JUP) struggle for *Nizam-i- Mustafa*.[56]

The elections to the national and provincial assemblies were held on schedule (16 and 19th November 1988). The voter turn-out in the elections for the National Assembly was as low as

40%. This was in contrast to the earlier elections of 1970 (63%), 1977 (55%) and 1985 (52%). The PPP got 92 seats, the IJI 54, the MQM 13 and PAI just 3 seats, with as many as 27 independents. Many stalwarts were defeated among them, Maulana Noorani and Asghar Khan

(the heads of JUP and TI), others included Muhammad Khan Junejo, Pir of Pagara, Ghous Bukhs Bizengo, Malik Qasim, Mairaj Muhammad Khan.[57]

The PPP emerged as the largest party in the centre and as the majority party in Sindh with

MQM taking the second position in the province by winning almost all the seats in Karachi and

Hyderabad. Interestingly JUP, which was the second largest party in Sindh after the PPP in the 1970's elections, failed to win a single seat in the province. Though PPP showed interest in making an electoral alliance with JUP for November elections but JUP completely rejected its possibility. According to Maulana Noorani it was the matter of principles "we could not make an election alliance with the PPP or the MQM".[58]

Maulana Noorani who believed in Islamic brotherhood and as an Alim and a Sufi had been preaching peace and love, considered propagation of ethnicity against the principles of Islam. He strongly opposed MQM since its formation.[59] He considered Gen. Zia and Ghus Ali Shah as the real founders of the MQM to counter JUP and other democratic forces like PPP and JI. He was of the view that MQM collected unlimited funds and weapons between the period of local bodies' elections of 1987 and November 1988 general elections. With the backing of Gen. Zia and Chief Minister of Sindh Ghous Ali Shah, they terrorized people by openly and freely firing on their opponents particularly JUP's public meetings. They created an overall atmosphere of terrorism in the urban areas of Sindh which played the major role in the MQM success in the elections. Another important factor which according to Maulana Noorani played an important role in the electoral victory of MQM was the propagation of Muhajir ethnicity and the feeling of deprivation among the 'Muhajir' population. Despite limited resources, Maulana Noorani pointed out, JUP decided to contest the general elections to challenge MQM's linguistic ethnic and militant politics because we could not compromise on the ideology of Muslim Nationalism.[60]

Though MQM did not have an electoral alliance with PPP,

> [Yet]… the MQM indirectly helped the PPP by alienating Muhajir caders of the Muslims League, the NPP, the JI and the JUP from their respective organizations. While these caders

> shifted their loyalties to the MQM the ideological and organizational work of their former parties suffered and they fell a prey to the PPP's steamroller. [While] the extent of the MQM's election success was clearly expected… In this way, the MQM's role vis-à-vis the PPP can be considered complimentary rather than contradictory.[61]

Maulana Noorani declared the MQM a group of murderers and terrorists responsible of the killing of innocent Muslims by propagating ethnicity and hatred among Muslims.[62] According to Maulana Noorani the main reason to form the PAI was to challenge the PPP and pro-Zia elements throughout the country, in which they (PAI leadership) failed to achieve any considerable success. However IJI which scored 54 National Assembly seats started a negative campaign against Maulana Noorani. They (IJI leadership) blamed him of receiving funds from Libya to play a role in the defeat of IJI.[63] He was of the view that the allegation was in fact a brain child of the religious elements of IJI led by JI. Maulana Noorani however categorically denied the allegation.[64] These religious elements according to an eminent scholar Dr.Muhammad Wasim:

> [Belongs to] a large section of people [who] drew patronage from the State's resources under Zia regime's Islamization program. For them, a change in the status quo was totally unwelcome. Ideology had emerged as their vocation. The accumulated patronage of eleven years created a widely dispersed lobby of religious elements … [which] tried to create ideological, moral and personal issues, largely bypassing the constitutional, economic and administrative issues.[65]

Another issue of the IJI's propaganda campaign against JUP was also related to JUP's role in IJI defeat in General Elections. According to Nawaz Sharif (the head of IJI and the candidate for

Prime Minister-ship) The IJI was in a clear cut position to win at least another 25 National Assembly seats, had JUP candidates not contested the elections. In his opinion the division of anti-PPP votes resulted in PPP's victory in the respective constituencies.[66]

As far as the IJI's second allegation was concerned, Maulana Noorani was of the view that after the formation of PAI, on the issue of seats allocation it was decided that every party of the alliance would get equal number of seats (70 per party) for the National Assembly elections.

However when Muhammad Khan Junejo (the head of PML-J a component party of PAI), left the Alliance (PAI) to joined IJI, proposed an electoral alliance of both PAI and IJI. The PAI collectively demanded 37 National Assembly seats (26-JUP & 11-TI) from IJI. However the PAI leadership was informed by Muhammad Khan Jenojo that IJI was only willing to give two seats to PAI, which was not acceptable to its leadership.[67]

In fact, Maulana Noorani pointed out, that the IJI leadership was responsible for its own defeat though PAI was willing to have an electoral alliance with IJI but its demands were not accommodated.[68]

On the other hand JUP sources held IJI responsible for the defeat of some of its candidates [see Table 1 below]. They similarly alleged IJI for the division of anti-PPP rightist votes resulting in an easy victory of PPP candidates.

Table 1				
Constituency No	JUP (PAI) Candidate Name	PAI Votes	PPP Votes	IJI Votes
NA – 115	Syed Hamid Saeed Kazmi	35, 449	42, 021	24, 420
NA – 118	Syed Nasir-Ud-Din Shah	27, 780	31, 368	23, 747
NA – 139	Syed Khursheed Ahmed Shah Bukhari	34, 884	46, 767	13, 605
NA – 42	Malik Allah Yar Khan	51, 438	67, 323	39, 665

Source:- Syed Shabir Ahmed Hashmi, *November 88 kay Intikhabi Haqaieq* (Lahore: Shoba Nashir-o-Ishait Jammiat-i-Ulama –i-Pakistan, n.d.),5.

In separate meetings of National Working Committee (NWC) of TI and Central Executive Committee (CEC) of JUP the reasons of the poor performance of the PAI and respective parties were discussed. Muhammad Asghar Khan who earlier on tendered his resignation from the party leadership was requested by the over-whelming majority [24:1] of NWC to continue as the head of TI and NWC did not accept his resignation.[69] Similarly JUP CEC showed its full confidence in the leadership of Maulana Shah Ahmed Noorani. However they thoroughly discussed the causes of the election defeat of the party which was only able to secure three seats in the National Assembly. They held Muhammad Khan Junejo's PML responsible for causing great set back to the election strategy and election campaign of the PAI,[70] by leaving the alliance "partners in the PAI, in lurch to become a part of Islami Jamhoori Ittehad (IJI)…".[71] It was also pointed out that the party was not properly organized before the elections.[72]

However the rise of the MQM, funding and involvement of Military Intelligence in formation of IJI, sympathy votes for the PPP, and lack of funds also played important role in the defeat of JUP in the November 1988 General Elections.

The PPP emerged as the largest party in the centre but had failed to win a majority to form the Government. The crucial factor in the power equation was the Presidential power to nominate the Prime Minister. The RCO empowered the President to appoint, at his discretion, any member of the National Assembly as Prime Minister, who, in his opinion, could command the confidence of the majority of the National Assembly.[73]

The PPP headed by Benazir Bhutto faced the task of forming alliances with other political parties or independents to be able to secure its majority in the National Assembly, on the other hand Nawaz Sharif, (head of IJI) made an announcement on the day following the National Polls that his alliance would form the new government. Apparently he (Nawaz Sharif) was relying on President Ghulam Ishaq Khan who had the discretionary power to appoint the Prime Minister, an unfettered power particularly in the event of a divided verdict, where no party had an absolute majority. No doubt, the person appointed as Prime Minister had to obtain a vote of confidence from the National

Assembly within a period of sixty days[74] but this could be managed by those who held the reins of power. The independents, in particular, were likely to go with whoever was nominated by the President and thus had been brought into power.[75]

However, amidst the mounting international and domestic pressures to nominate the prime minister from the majority party, President Ghulam Ishaq Khan finally nominated Benazir Bhutto as Prime Minister. The PPP had no difficulty in showing a majority at the center, but it was done with the support of other group such as the MQM and ANP.[76]

In Sindh, the PPP had no difficulty in forming a government, Qaim Ali Shah, a nominee of the PPP, was easily elected as the Chief Minister of the province. It was due to the clear cut majority of his party which resulted in his success.[77]

However in the NWFP, the situation was complex. No one party had won an absolute majority in the Provincial Assembly. [78] The PPP, in coalition with ANP and also by winning over a number of independents, formed the government with Aftab Sherpao as the Chief Minister.

In Baluchistan, Mir Zafar Ullah Jamali received 21 votes in favor and 21 votes against him ultimately got himself elected as the Chief Minister of the province by securing the vote of the Speaker in his favor.[79]

The situation in the Punjab was the real challenge for the PPP. Though it (PPP) won more seats in the National Assembly as against the IJI (52 to 45) its position reversed in the Provincial Assembly. The IJI, which won 108 seats as against 94 seats got by the PPP, with the help of the independent members of the Provincial Assembly was able to form a government in the Punjab with Nawaz Sharif as the Chief Minister.

Addressing a press conference Maulana Noorani said that PPP enjoyed majority in the

National Assembly and hence had the constitutional right to run the affairs of the country. Similarly the majority parties in the provinces must be given their democratic and constitutional rights to form their governments and serve the people of their respective provinces. He urged the

Federal and Provincial government to avoid at all cost, the policy of confrontation. [80]

He expressed the hope that the people's party government would not repeat the blunders committed by her in 1972-73 in Baluchistan and NWFP by over-throwing the Provincial governments in these two provinces.[81] He was of the view that peace, harmony and mutual cooperation among the political parties and leaders was the urgent need of the hour to usher in an era of prosperity and development which the people had dreamed by voting in the elections. The elected governments, he emphasized, should be given a chance to prove their worth and the nation should get the fruit of long patience.[82]

In response to a question, Maulana Noorani said that PPP – MQM pact had made change in the thinking of MQM regarding the 'nations theory' and MQM, in his view, had given up various nation theories, which was constructive and good for the country.[83]

Benazir Bhutto got her vote of confidence in the National Assembly on 12th December, with

148 votes in favor including the three votes of JUP's MNAs. Lt. Gen (R) Muhammad Hussain

Ansari, Sher Afghan Niazi and Zulfiqar Barq casted their votes in favor of Benazir Bhutto while JUP Parliamentary leader in the National Assembly Maulana Abdus Sattar Khan Niazi did not cast his vote and remained absent.[84]

Earlier on "given PPP's evident weakness, the armed forces and its allies in the bureaucracy led by Zia's successor to the Presidency, Ghulam Ishaq Khan, were able to [dictate] the terms under which PPP would be allowed to form a government".[85] One important point of the Benazir

Ishaq deal was full support of the PPP to Ishaq Khan in the forthcoming Presidential election.

Ishaq Khan had also been adopted as the candidate of the IJI. Other candidates of whom

Nawabzada Nasrullah was the most prominent were ignored. However Maulana Shah Ahmed Noorani supported Nawabzada Nasrullah and declared him a better candidate for the seat of the President of Pakistan. In his point of view Nawabzada Nasrullah Khan was a politician and had struggled for democracy while Ishaq Khan was a bureaucrat who had supported the dictator, Gen Zia, during his 11 years reign.[86]

For the first time in Pakistan's electoral history, a party (PPP) assumed power at the centre that could not form a government in Punjab. The PPP had always considered Punjab as its power base, however as discussed earlier the polls for the Punjab Assembly had affected the PPP lead in the Provincial Assembly elections. The PPP's bastion of power in Punjab was wrested away from it as it could not win over enough independents to build a coalition government in the province.

Tragically, it was PPP which introduced corruption to the political process by attempting to topple the IJI ministry in Punjab soon after the elections of 1988. On that occasion, Benazir had sought to woo independents as well as IJI Punjab Assembly workers with lucrative financial offers. The strategy failed as IJI was able to match PPP's offers with deals of its own. Rather than dampening the enthusiasm for such exercises, PPP's attempted putsch in Punjab set the tone of rivalry between the two sides resulting in the Punjab Chief Minister refused to obey the federal government's transfer orders for the Chief Secretary and the some other high ranking

officers.

Benazir and her party affiliates in Punjab failed to recognize that Nawaz Sharif had been well

entrenched in Punjab politics since the early 1980's and had acquired experience in the workings

of government, and had developed contacts with the military elite, as if to further consolidate his

position, Nawaz Sharif was elected the IJI Chairman.

In February, a mass rally was organized against Salman Rushdie's book Satanic Verses. It was led by Nawabzada Nasrullah, Kausar Niazi, Fazlur Rehman and Maulana Niazi. The rally attacked the American centre building in Islamabad. Six persons died in a clash with the police. The PPP accused the IJI for provoking the demonstration and later using it for negative propaganda against the PPP government. In a counter move, the IJI accused the PPP of instigating a labor revolt in Faisalabad against its government.[87]

Maulana Noorani condemned both PPP and IJI for the confrontation between centre and Punjab. According to him the whole struggle of Nawaz Sharif was to become Prime Minister while the aim of Benazir Bhutto was to remain Prime Minister one way or the other.[88]

Maulana Noorani while addressing public meetings at different cities of upper Punjab condemned Nawaz Sharif for provoking 'Punjab Shovonism'. He was of the view that Nawaz Sharif was playing the same game which was being played by MQM in Karachi, which in fact was the negation of the ideology and philosophy of Pakistan and Allama Iqbal.

According to Maulana Noorani the ML had become 'hostage' to the JI as the PPP was to the MQM. He blamed both the JI and the MQM for introducing terrorism in the country[89] and declared MQM as 'Muhajir Qatil (Murderess) Movement' and JI as "Jamaat-i-Ghair Islami (un Islamic Party)". Maulana Noorani refuted the general perception that President Ishaq Khan, PM Benazir Bhutto and Punjab Chief Minister Nawaz Sharif were the elected representatives of the people and said that in fact all of them were the representatives of United States of America (USA) because according to him no political party could come to power in the country without the permission of Washington. He also mentioned that the biggest center of CIA was in Pakistan. He demanded that the Rajhistan sector border (between Indian and Pakistan in Sindh) must be sealed as Indian intelligence Agency RAW had established its head quarter in Sindh and involved in anti-state activities in the province. He called for the imposition of curfew, after the sealing of Rajhistan Sector border, and house to house search for weapons by Army, Rangers and Police.[90]
In September 1989, MQM signed and entered into a secret agreement with the IJI.[91] ANP also fell out with the PPP due to the letter's style of government. IJI with the support of the

MQM and the ANP, formed a common front calling itself Combined Opposition Parties (COP) which gained strength and moved a motion of no – confidence against the PPP government headed by Benazir Bhutto.

Earlier on, the leader of the opposition in the National Assembly Ghulam Mustafa Jatoi met

Maulana Noorani at Chakwal to secure votes of JUP for the opposition no-confidence motion.[92]

Maulana Noorani and a large section of the party were not in favor of JUP's support to the COP motion of no – confidence. As Maulana Noorani was out of the country, Maulana Niazi (the head of the JUP Parliamentary party in the National Assembly) not only favored the COP move but also took an active part in it. On his return Maulana Noorani expressed his principal disagreement with Maulana Niazi over the latters decision to side with the COP but keeping in view the democratic norms and the unity of his party, he accepted it.[93]

The no-confidence motion set the stage for a showdown between the government and the opposition. The opposition with the tacit support of the President and the resources of the provincial government of Punjab under IJI Chief Nawaz Sharif, embraced upon an endeavor to win over as adequate number as possible to carry the no-confidence motion. The government took steps to ensure that there were no dissensions in its ranks and that some members of the opposition were induced to switch their allegiance. According to Lawrence Ziring "Trading of MNA votes had never been done on such a scale, and the amount of money that was said to be involved in purchasing or retaining loyalties was estimated to be in the millions of rupees". [94] On 1 November 1989, the no – confidence motion was debated and put to vote. The IJI – led opposition fell twelve votes short of its goal, receiving only 107 of the 119 needed.[95]

On 27, 28 November 1989, a joint meeting of *Majlis-i-Shura* and *Amla* of the JUP was held at Lahore under the Chairmanship of Maulana Noorani. The meeting discussed the prevailing political condition of the country and passed a unanimous resolution according to which the JUP would play the role of opposition in and outside Parliament by keeping its individuality. It was also decided that JUP would not become part of united opposition (COP) and would not accept

COP decision as it was, but would decide by itself after consulting its members of the Parliament.[96] The meeting also formed a High Level Committee (HLC) with the power to initiate dialogue with other political parties and to decide matter in the case of disagreement among the JUP members of Parliament.[97] A nine-member HLC was consisted of Maulana Shah Ahmed Noorani, Maulana Niazi, General (R) M.H. Ansari, Professor Shah Faridul Haq, Syed Ameer Hussain

Gilani, Ghulam Syedaan, Maulana Fateh Muhammad Barozai, Pir Syed Barkat Ahmed Shah and General (R) K. M. Azhar.[98]
In the same meeting it was decided that the JUP would contest the by-election from NA-99 Lahore.[99] On 18 January 1990, Maulana Niazi as the Chairman JUP Parliamentary Board issued ticket to Maulana Abdul Ghafoor Alwari to contest election from NA-99 Lahore as a JUP

candidate.[100]

The PPP nominated Muhammad Arshad Gharki son of deceased MNA Haji Muhammad

Asghar Gharki as its candidate while IJI gave ticket to Ch. Zulfiqar Ali.[101] Both the parties (in power in center and Punjab respectively) wanted to win the election at all cost.[102]
The IJI which declared itself '*Islam Pasand*' (Islam Lover) alliance started contacting JUP leadership particularly Maulana Niazi (who had a soft corner for Nawaz Sharif and IJI for their slogan of the enforcement of Islam in Pakistan) to persuade Maulana Abdul Ghafoor Alwari to withdraw from the contest in favor of the IJI candidate.[103]

The IJI leadership was of the view that in case of the division of Islam Pasand and anti-PPP votes the PPP candidate would easily win. Maulana Noorani and the majority of the JUP leadership was not in favor of withdrawal of its candidate. To win over JUP, IJI offered support to JUP if Maulana Noorani would himself contest the election from the same constituency.[104]

Maulana Noorani did not accept the offer and considered it an un-principled act. Instead JUP leadership tried to get IJI withdraw its candidate in favor of JUP which was not accepted by Nawaz Sharif.[105]
According to the JUP sources Maulana Niazi was in favor of the IJI's point of view that JUP should withdraw its candidate in favor of IJI. He also did not participate in the election campaign of his party candidate.[106]
Maulana Niazi who was taking keen interest to have JUP withdrawn its candidate in favor of

IJI also proposed it in the meeting of JUP provincial *Majlis-i- Shura* and *Amla* of Punjab held on

29 January 1990 at Lahore. The meeting rejected Maulana Niazi's proposal on the ground that according to the JUP constitution provincial *Majlis-i- Shura* and *Amla* could not reverse the decision of the central Majlis-i-*Shura* and *Amla* and the meeting upheld the decision of the central *Majlis-i-Shura* and *Amla* of 27, 28 December 1989.[107] Maulana Noorani reached Lahore on 9 February 1990 [108] and started the election campaign of Maulana Alwari with full zeal and

zest.[109]

On the other hand Maulana Nizai tried to convince the JUP leadership to withdraw the candidature of Maulana Alwari; Maulana Niazi realizing the gravity of the situation called meeting of the HLC of JUP to discuss the issue. Though the committee did not have the right to reverse the decision of the JUP central *Majlis-i-Shura* and *Amla* the meeting of the committee was held on 12th February at Lahore. The meeting was attended by Maulana Noorani, Maulana Niazi, Pir Syed Barakat Ahmed Shah, Shah Farid ul Haq, Gen. Azhar (R), Ghulam Syedain, Gen. (R) Ansari and Syed Ameer Gilani while Sahibzada Zubair, Sahibzada Akram Shah and Pir Ijaz Hashmi attended the meeting as observers.[110]

The six members of the committee including Maulana Noorani were against the withdrawal of the JUP candidate in favor of IJI while Maulana Niazi and Pir Barakat Ahmed were in favor of the withdrawal.[111]

Maulana Noorani, who had left the meeting in the middle to reach Karachi immediately as he received a telephone regarding the deteriorating medical condition of his son, left the matter to be decided by the committee. However the committee failed to break the deadlock. The majority of the members, who were not in favor of the JUP candidate withdrawal, asked Maulana Niazi, Pir Barakt and Sahibzada Zubair to negotiate the matter with the IJI leadership in the light of the decision of the majority members of the JUP HLC.[112]

After the departure of the rest of the members of HLC (Prof. Shah Faridul Haq, Gen. (R) Ansari, Gen. (R) Azhar went to Raiwand to attend Maulana Alwari's election campaign while Syed Ameer Shah Gilani and Ghulam Syedain went somewhere else) the JUP three members negotiation team (consisting of Maulana niazi, Pir Barakat and Sahibzada Zubair) started its negotiations with IJI leadership represented by Nawaz Sharif, Ch. Shujaat Hussain, Shehbaz Sharif and Ghulam Haider Wyne. Both the teams signed a written agreement by which JUP team agreed to withdraw its candidate in favor of IJI's and in lieu of it IJI team agreed to do the following:

i. To give a seat in Senate to JUP till 15th March.
ii. Establishment of Sunni *Auqaf* board with three members from JUP;
iii. Paying back of election expenses to Maulana Alwari and also monetary help to his Madrasa.
iv. 200 canal land for the establishment of a religious centre and 200,000,000 rupees for its construction. [113]

The JUP negotiation team's signing of the agreement with IJI caused great uprorer in the Party. The rest of members of HLC were of the view that they were not taken into the confidence and the agreement was signed against their will. Earlier on a press release was issued mentioning the JUP decision to withdraw its candidate in favor of IJI's.[114]

The next day on 13th February Sahibzada Ikram Shah, Sahibada Syed Mahfuz Mashadi, Allama Shabbir Hashmi, Muhammad Khan Laghari, Alhajj Javed Iqbal and Maulana Qasim held a press conference and declared the decision of the withdrawal as an undemocratic act. They were of the view that the majority of HLC were against it, so it could only be called the decision of Maulana Niazi and Pir Barakat Ahmed.[115] On the other hand, Pir Barakat Ahmed as the Provincial President of JUP Punjab took the notice of the press conference and suspended the membership of some of

the JUP office holders for working against the party discipline. The JUP office holders whose membership was suspended staged a protest demonstration against the decision and raised slogans against JUP-IJI agreement by calling it a dictatorial act.[116]

In fact under the JUP constitution Central or Provincial President could not suspend the membership of any central or provincial office holder. Despite it, Maulana Niazi wanted Maulana Noorani to uphold the decision of Pir Barakat. While on the request of the members, Maulana Noorani asked Maulana Niazi (as General Secretary of the party) to convene the meeting of the party's *Majlis-i-Shura* and *Amla* on 28th February at Lahore,[117]in reply of it, Maulana Niazi declared that the *Majlis-i-Shura* and *Amla* were dissolved in its last meeting held on 27, 28 December 1989. According to him they were non-existence bodies and had no

constitutional character.[118]

The differences between Maulana Noorani and Maulana Niazi grew to such an extent that on

24th February a 'Khademeen Convention' of the 'sympathizers' of Maulana Niazi was held at Lahore. In which the party President Maulana Noorani was removed from the post of the party Presidentship. He was alleged for violating the constitution, manifesto, aims and objectives of the party and also working against its interests.[119] The convention showed its full confidence in the leadership of Maulana Niazi and Pir Barakat Ahmed and elected Maulana Niazi as the new

President of the party and till the next election it also gave powers and position of General Sectaryship to him.[120]

In response to the '*Khademeen* Convention' of 24th February an emergency meeting of the JUP *Majlis-i-Shura* and *Amla* was held on 28th February at Islamabad which was attended by the record 93 members of *Shura* and *Amla* and was presided over by Maulana Noorani. The meeting declared all the acts of Maulana Niazi not only dictatorial, one-sided but also unconstitutional undemocratic and unethical. However the meeting adopted a reconciliatory attitude and gave two weeks time to Maulana Niazi for rejoining the party. Moverover Gen. (R) M.H. Ansari was elected as the new Parliamentary leader of the party in place of Maulana Niazi, the meeting also decided to convene an all Pakistan *Khademeen* convention on 23 March at Multan.[121]

Later on addressing press conference Maulana Noorani made Nawaz Sharif responsible for the division of JUP. He was of the view that Nawaz Sharif completed the mission of Gen. Zia of dividing the JUP into different groups. According to Maulana Noorani Nawaz Sharif done the work (of dividing JUP) in one year which Gen. Zia could not have done in 11 years.[122]

Earlier on, when Maulana Noorani reached Islamabad airport to attend the meeting of *Majlisi- Shura* and *Amla* he was received by more than ten thousands enthusiastic JUP workers. Who came from different parts of the Punjab and Azad Kashmir to receive their leader.[123]

A two days JUP all Pakistan *Khademeen* convention was held on 22 and 23rd March at Shahi

Eidgah Multan which was attended by more than 10,000 *Khademeen* coming from all parts of the country. The convention had five sessions and were addressed by Muhammad Saddique

Rathor, Allama Syed Shabbir Ahmed Hasami, Sahibzada Hamid Saeed Kazmi, Maulana Fatheh

Muhammad Barozai, Sahibzada Syed Muhammad Mahfuz Mashadhi, Sahibzada Ikram Shah,

Dr. Muhammad Badar Qureshi, Muhammad Usman Khan Noori, Abdul Rauf Mirza, Sufi Iyaz

Khan Niazi, Muhammad Obaid Ullah Qadri, Tairq Mehboob, Muhammad Ahmed Siddiqui,

Sahibazada Ghulam Syedian, Pir Ijaz Hashmi, Maulana Wazir Alqadri, Qari Zawar Bahadar,

Muhammad Iqbal Azhari, Muhammad Khan Laghari, Haji Javed Iqbal, Sahibzada Ahmed Mian, Gen (R) M. H. Ansari, Prof Shah Farid Ul Haq and Maulana Shah Ahmed Noorani.[124]

Maulana Noorani in his speech declared that Gen. Zia and his associates were responsible for the Benazir Bhutto's becoming of Prime Minister. Otherwise he made it very clear before the elections that a woman could not become the head of the state in Islam. Similarly he was of the view that he warned the people that IJI was neither Islamic nor democratic. He said that now people asked him regarding the states of a woman to become the head of state in Islam but when he called them for *Nizam-i-Mustafa* they voted for PPP and IJI.

He also highlighted his party's Parliamentary struggle and achievements regarding the enforcement of Islam and for the benefit of the *Maslik* and demanded the people to vote for *Nizam-i- Mustafa* in future which only could end all un-Islamic problems from the country.[125]

At the end, the convention passed a resolution showing full confidence in the leadership of Maulana Noorani, in another resolution the atrocities committed by the Indian Army against the innocent Muslims of the occupied Kashmir were condemned. Yet another resolution demanded the peaceful resolution of Afghanistan issue according to the Geneva Convention.[126]

The tone of the Multan convention was reconciliatory towards Maulana Niazi and his group but the non-reconciliatory attitude of Maulana Niazi made the chances of the re-unification of the party impossible for the time being. An important factor responsible for this attitude was the joining of the Niazi group by those people who were considered to be anti-Noorani and strong opponents of reconciliation. One of the important differences between the Lahore and Multan conventions was the use of language and the tone of the speakers. At Lahore some of the speakers used abusive language against Maulana Noorani and the tone of almost all speakers remained hostile towards him, even Maulana Niazi declared that the doors of reconciliation with Maulana Noorani were closed for ever.

While on the other hand at the Multan convention speakers mentioned Maulana Niazi name with full respect and they addressed the issue of the division of JUP keeping in view the possibility of the reconciliation between the two groups.[127]

Maulana Noorani after the success of the Multan convention started his 'meet-the-people' tour of the Faisalabad and Lahore divisions along with other JUP leaders. In his two weeks tour he addressed press conferences, bar associations, public and workers meetings at different cities of divisions. In his speeches he highlighted the deteriorating law and order situation in Sindh and Punjab. He also criticized the government's foreign policy for failing to gain support of the Islamic countries on the Kashmir issue. Maulana Noorani alleged, the elected representatives of the IJI and the PPP for looting money from the national exchequer. He demanded people to vote for *Nizam-i-Mustafa* in the next elections.[128]

The confrontational politics between the Centre and Punjab with President Ishaq supporting Punjab Chief Minister Nawaz Sharif and other opposition parties in their opposition to Prime Minister Benazir Bhutto had its drop scene on 6 August 1990 when the President applied coup de grace by

issuing an order under Article 58(2)(b) of the constitution thereby dissolving the National Assembly. In consequence thereof, the Prime Minister and the cabinet ceased to hold office forthwith. The order passed by the President was based on the following reasons:

i. The utility and efficacy of the National Assembly was defeated by internal dissensions, persistent and scandalous 'horse trading' for political gain, and the furtherance of personal interest, corrupt practices and inducement.

ii. The government of the federation was willfully undermined and impaired. The federal government usurped the authority of the provinces resulting in discord, confrontation and deadlock, adversely affecting the integrity, solidarity and well- being of Pakistan.

iii. Corruption and nepotism in the federal governments, its functionaries and authorities, and agencies had reached such proportions, that the orderly functioning of the government in accordance with the provisions of the constitution.

iv. The federal government failed in its duty under Article 148(3) of the constitution to protect the province of Sindh against internal disturbances, politics of violence among citizens and widely condemned failure of the provincial government and its law – enforcing agencies, and also, in this behalf, failed to act under appropriate provisions of the constitution.

v. The government of the federation has violated the provisions of the constitution and the law by ridiculing the superior Judiciary and undermining the civil services of Pakistan. [129]

The decision to remove Benazir was carefully timed. Knowing that Bhutto was Washington favorite, and that the matter of removing her was bound to be as controversial as it was delicate, there had been considerable hesitation in forcing her from power. But the Iraqi invasion of Kuwait in August provided a window of opportunity that changed all the long-held

projections.[130]

Maulana Noorani called the decision of the President to dissolve the National and Provincial Assemblies unconstitutional, unethical and unlawful. He was of the view that the government could be changed by (the vote of no confidence, a legal way provided in the constitution). He declared that the process of accountability started by the President was one-sided and biased.[131]

When the PPP government was dismissed in August 1990, the President's power to appoint a caretaker cabinet at the federal as well as provincial levels was abused to the maximum. Instead of appointing neutral and non-partisan caretaker cabinets, all the people who were in opposition and were known to be openly hostile to the dismissed government were appointed in the caretaker

cabinets, at the federal as well as the provincial levels. The leader of the opposition in the erstwhile National Assembly, Ghulam Mustafa Jatoi, was appointed as the caretaker Prime Minister. Similarly, the Chief Ministers particularly from Sindhh and Punjab, were taken from the opposition. The caretaker Chief Minister of the Punjab Ghulam Haider Wyne, was a handpicked nominee of Nawaz Sharif.

Arguing that those who had betrayed the public trust must be punished:

> President Ishaq promulgated the special courts for speedy Trial ordinance, 1990, and activated other laws including the Holders of Representative officers (Prevention of
>
> Misconduct) Act and the Parliament and provincial Assemblies Act … these ordinances and laws offered a backdrop for the assault on Benazir and her colleagues.[132]

With the Iraqi invasion of Kuwait on 2nd August the Persian Gulf became a theater of world tension and fear. Ghulam Ishaq's declaration of a state of emergency in Pakistan underlined the extreme character of the situation.[133] Besides the caretaker Prime Minister Jatoi declared that Pakistan could not condone the forceful occupation of one Muslim country by another.[134] In response to the call of Saudi King,Pakistani government announced to send 5,000 men force to join contingents from other Muslim countries in the defense of the holy places of Saudi Arabia.

Elements of this force began arriving in Saudi Arabia in early September. Islamabad insisting the troops would be deployed in strictly defensive positions. Prime Minister Jatoi visited Oman,

Dubai and Qatar in late September to project Pakistan's staunch position in defence of the Gulf

Sheikhdoms. He also used the occasion to urge Saddam Hussain to remove his forces from Kuwait.[135]

Earlier on 16, 17 and 18th June an international Islamic Conference was held at Baghdad by the Ministry of *Auqaf* and Religious Affairs of Iraq. Round about 700 delegates of 70 Muslim countries from around the world attended the conference, which was organized to discuss the
'Jewish-Christian' alliance against the Muslim World. Maulana Noorani as the President of the World Islamic Mission was invited to the conference.

On his arrival at the Baghdad international airport talking to the news persons Maulana Noorani proposed to have a combined Muslim block to defend the Muslim world against the conspiracy of Jews and Christians. He was of the view that Saddam Hussain was successfully facing the Jews and the Christians and declared that the soil of Baghdad had given birth to another Salah ud Din Ayubi in the form of Saddam Hussain.[136] Maulana Noorani presided over the first session of the conference while the last session was addressed by President Saddam Hussain. He made a very powerful speech highlighting the Zionist-American collaboration against the Islamic world. He brought the attention of the delegates towards the recent Jewish conference held in USA which declared his (Saddam's) government as a great threat to the world peace. Saddam Hussain revived his determination against Zionism and declared (on the behalf of those who attended the conference) that they were ready to face any conspiracy and an Israeli attack on any Islamic country would be considered an attack on whole of the Islamic world.[137] Maulana Noorani who considered the Gulf Sheikhdoms as great supporter of the USA and a major hurdle in the way of Islamic revival around the world started

mobilizing public opinion in favor of Saddam Hussain and against the Pakistani government decision to send troops in the Gulf war. JUP under the leadership of Maulana Noorani started its public support campaign in favour of Saddam Hussain in the first week of August from Lahore.

When America and its allies started gathering their forces in the Persian Gulf for the upcoming first Gulf war against Iraq. Maulana Noorani along with other leaders of his party toured the country to gather support for Saddam Hussain and the people of Iraq.

As the Middle East was heading towards the First Gulf war, between American allies and Iraq, Pakistan had its second general elections after the end of the last military rule in the country and the restoration of democracy in 1988.

Before the 1990 general elections JUP was divided into two groups headed by Maulana Noorani and Maulana Niazi respectively. JUP (Noorani) decided to have a solo flight in the elections and gave tickets to 46 candidates for the National Assembly seats. Maulana Noorani contested elections from two constituencies in Sindh and Punjab.[138]

JUP issued its manifesto highlighting its plan to unite all the Islamic countries on one platform, compulsory military training for the youth over 18 years, equip armed forces of Pakistan with latest weapons and the completion of the peaceful atomic program.

The other main features of the manifesto were the enforcement of Nizam-i-Mustafa in the country by making it a true Islamic welfare state with the guarantee of full rights to minorities, elections based on the proportional representation system, continue process of accountability having severe punishments for those responsible for the looting of the national exchequer, free distribution of land to the poor farmers and granting of the ownership rights to industrial workers in factories.[139]

During the election campaign of his party Maulana Noorani, in his addresses, highlighted the need of the proper use of vote by the people in the upcoming elections. According to him, due to nation's avoidance to vote for *Nizam-i-Mustafa* in the last elections resulted in price hike, theft, robbery, lawlessness and 'horse trading' in the country. He was of the view that all it was due to the casting of votes to the wrong candidates. He emphasized the nation to undo its first mistake by casting their votes in favor of proper candidates.[140]

In the general elections held in October 1990, the IJI won 105 seats in the National Assembly the Pakistan Democratic Alliance (PDA) captured only 45 seats. MQM (*Haqprast*) and ANP got

15 and 6 seats respectively of the remaining seats 3 went to JUP (Noorani), 2 each to Jamhoori Watan Party and Pakistan National Party and 1 to Pakhtunkhawan Milli Party. Prominent party leaders including Maulana Noorani, Asghar Khan, Wali Khan, Meraj Khalid, Nasrullah Khan, Fazal ur Rehman, Aftab Sherpao, Murtaza Bhutto and Hafeez Pirzada lost in the elections Maulana Noorani lost both the seats, NA-116 Multan & NA-190 Karachi. JUP, PDA and other parties blamed the government of doing a massive scale rigging in the general elections.[141]

Commanding an overwhelming majority, Nawaz Sharif, President of IJI, was elected Prime Minister with 153 votes, which meant a two third majority in the Parliament.[142] In addition to formation of majority based government at the center and the Punjab, IJI-led coalition government was installed in the NWFP. In Sindh and Baluchistan the IJI had won only a few seats. The IJI was able to do this was partially due to the overriding power of the President who was generally perceived to be an ardent supporter of IJI.[143] Earlier on, on 29th October a meeting of the JUP central committee was held at Lahore, which was presided over by Maulana Noorani.

The meeting decided that the JUP would sit on the opposition benches but would fully cooperate and support the government in its every effort to enforce Islamic system in the country.[144]

In an interview with the daily Jang London, Maulana Noorani pointed out that a large scale rigging was done in the elections but despite of that the democratic process must continue. He was of the view that the country could not afford any agitation or a protest movement because that would benefit the anti-democratic forces and the enemies of the country.[145]

The Gulf crises became number one foreign issue of the new government. The Prime Minister Nawaz Sharif went to Saudi Arabia on November 19 and had meetings with the Saudi King Fahad and the Amir of Kuwait. He reiterated his government's position in opposition to the aggression committed against Kuwait by Iraq and announced to send another 3000 men of Pakistani armed forces to Saudi Arabia to join the 2000 already in the country. Nawaz Sharif also declared that the Saudis could count on "Pakistani's full support" in defense of their kingdom.[146]

Maulana Noorani who wanted a peaceful resolution of the Gulf crisis proposed the formation of a commission of (the representatives of) the Muslim Umma, which after hearing the point of view of both the parties (Iraq & Kuwait) decide the issue which must be binding on both the countries.[147]

> But for most of [the] opposition groups in the Muslim world [including JUP] point in the crisis was the involvement of the United States. This led ….. [them] to take up an anti-coalition stance. Religious concerns specially the deployment of non Muslims troops in the land of the Holy places for the first time since the time of the Prophet – were combined with the nationalist ones as the involvement of the West awakened deep-seated antipathy toward 'imperialist' intentions for the region. This combination was thrown into sharp focus by Iraq's linkage of the crisis with the Arab – Israeli conflict and its missile attacks on Israel.[148]

Maulana Noorani opposed the presence of the American and other non Muslim forces in Hijaz (Saudi Arabia) and demanded their immediate withdrawal because according to him their presence endangered the sanctity of the Holy places.[149]Addressing to a conference on the Gulf conflict organized by the World Islamic Mission at Karachi. Maulana Noorani said that by challenging Israel, President Saddam Hussain had done a great job. He was of the view that Jewish and Christian forces were conspiring against the Holy places and American, Israeli and Russian forces were uniting against Iraq like the war of 'Crescent and Cross'. He appealed all the Muslims to pray for the success of Saddam Hussain and said that it was pity that a *Mujahid* (Saddam Hussain) was challenging the Jews while the Pakistani army was under the command of America and Israel.[150]

Islamic conferences (such as discussed above) in support of Iraq were balanced by conferences organized in Saudi Arabia supporting the coalition. The Mufti of Saudi Arabia went so far as to declare that even non-Muslims participating in the war were participating in a jihad.[151]

Maulana Noorani undertook a tour of the Punjab province along with other leadership of his party. He addressed several religious and political gatherings at the different cities and towns, highlighting the notorious role of the Saudi government in the Gulf-conflict. He said that the Saudi rulers who had imposed ban on the celebration of the *Milad-i-Mustaf* (Birth day of the Holy Prophet Peace be upon him) were so humiliated by God Almighty that now Christians were celebrating Christmas in Hijaz. He said due to the bad deeds of Saudi rulers' sex free zones were opened in Hijaz along with the use of pork and liquor. He pointed out that so far the Saudi government had paid 49 billion US dollars to the American and Jewish armies in account of their salaries. Had this amount (49 billion US dollars) been used for the removal of the economic problems of the Muslim around the world, the whole Muslim *Ummah* would have been prosperous, Maulana Noorani pointed out.[152] Besides Maulana Noorani's criticism "the Arab regimes in the coalition carried little respect among the people of the region at large. King Fahd of Saudi Arabia, for example, was seeing as completely exposed as being a client of the United States."[153]

> [Similarly]… the popular pro-Saddam sentiment that was found in many…. places were fueled by the distinct unpopularity of the Gulf monarchies. Ostentatiously wealthy and often arrogantly claiming that God had chosen them for special favor, the "Gulfis" have incurred the envy, and more often the enmity, of poorer Arabs and Muslims …[They] have become widely synonymous with corruption, insincerity and licentious, un – Islamic conduct. Though as some remove, one observer typically commented, "We Muslims in China are twice as devout as the Saudi and Kuwait Sheikhs who spend their money in the brothels of Southeast Asia and Bahrain.[154]

Addressing a reception hosted in the honor of JUP Parliamentary leader in the National Assembly Syed Hamid Saeed Kazmi, Maulana Noorani declared that JUP would recruit ex army persons and Mujahidens for the Jihad against America and the defense of Baghdad Sharif,

Harmain Sharifian and Bait-ul-Muqadis. He announced that Lt. General (R) K. M. Azhar and Maj. Gen. (R) M. H. Ansari would supervise the JUP recruitment centers. Maulana Noorani criticized the role of the IJI government by becoming a party in the Gulf conflict instead of playing an impartial reconciliatory role between Iraq and Kuwait.[155]

The general public gave a very positive response to the recruitment call for *Jihad* against America by Maulana Noorani. According to the JUP sources within a few days of the announcement around 25, 000 volunteers registered themselves at the different JUP recruitment centers.[156]

To discuss the prevailing situation of the Gulf region an International Islamic Conference, attended by some 2000 delegates from 20 countries around the world, was held in Baghdad. Maulana Noorani as the head of the World Islamic Mission was also invited to the conference.

Saddam Hussain in his inaugural speech declared that in the case of war, Israel would be the first target of Iraq and it would be *Um-ul-Maraik* (Mother of all wars). According to him, it was the reason for the addition of *Allah-o-Akbar* (God is Great) on the Iraqi flag. He declared that he wanted peace not war and it could be done only by resolving all the issues of the Gulf region. He was of the view that the biggest issue of the region was the occupation of the 'Al-Qudis' by Israel. He declared

that Israel must withdraw from Golan Heights, Ghaza and the areas of Jordan. Similarly America must withdraw from Hijaz.[157]

Maulana Noorani in his speech said that it was the time of *Jihad* and a historical moment therefore all the Muslims must play their role in it. He declared that the Pakistani Muslims would participate in the Jihad and in the case of war would fight shoulder to shoulder with their Iraqi brothers, they would not hesitate to sacrifice their lives and also contribute monetarily to help

Iraq. He said that if America wanted peace in Gulf it must withdrew its forces from Hijaz. Similarly, Israel must also withdrew its forces from Al-Qudis and other occupied areas.[158]

With the US – collation attack on Iraq on 17th January, JUP under the leadership of Maulana Noorani started a vigorous campaign in support of Iraq and the President Saddam Hussain. Jihad rallies and public meetings were organized throughout the country mostly addressed by Maulana Noorani and other top leadership of his party.[159]

Addressing a large *Jihad* rally, on 26th January at Lahore, Maulana Noorani said that these Jihad rallies and public meetings had no political aim but to liberate Bait-ul-Muqadis from the occupation of Jews.[160]He criticized the latest ‘peace mission’of Prime Minister Nawaz Sharif[161] and dubbed it as an ‘American mission’. He said that the IJI proved to be an ‘Islamic American Alliance’.[162] He was of the view that the rule of ‘loose character and licentious’ Muslim rulers would end with the Gulf war. He declared that Saddam Hussain was in fact fighting the war of Islam and Pakistan that was why the people of Pakistan were with him. He pointed out that the deployment of the Pakistan Army in Harmain Sharifain was not for the defense of these Holy places but for the protection of the Saudi monarchy and hoped that the Pakistani Army would not open fire on their brother Muslims. Maulana Noorani demanded the Pakistani government to announce its support to Iraq by withdrawing its forces from Saudi Arabia deployed along with American collision forces.[163] Other leaders of JUP also addressed the rally. Gen. (R) K. M. Azhar in his speech declared that at least 200,000 volunteers had registered themselves at different JUP recruitment centers for Iraq. [164]

Maulana Noorani in his effort to protect the innocent people of Iraq from the American coalition indiscriminate heavy aerial bombardment, sent telegrams to the different world leaders urging them to play their roles in stopping the American coalition from committing such acts.[165]

The JUP under the leadership of Maulana Noorani remained at the forefront in expressing vehement opposition not only to the American coalition attacks on Iraq but also Pakistani government decision to send its troops to Saudi Arabia.[166] It participated in the All Parties Conference (APC) held on 3rd February at Lahore. Prof. Shah Farid ul Haq (Senior Vice- President of the party) represented JUP at the conference. In his speech, he demanded government to change its foreign policy according to the public opinion and highlighted his party’s stand that the American forces first withdrew from the Gulf region, and then the Kuwait problem would be resolved by the Muslim countries themselves.

In the end, the APC issued a joint declaration condemning the IJI government’s policy regarding the Gulf crisis and the aerial bombardment of the American coalition forces on Iraqi people. It appalled the people of Pakistan to help their Iraqi brothers at this difficult time.

The declaration demanded the immediate ceasefire of the Gulf war, simultaneous withdrawal of the foreign (American coalition forces) forces from the Gulf region and Iraqi forces from Kuwait, the deployment of force consisting of Islamic countries in the region acceptable to both parties (Iraq and Kuwait) for permanent restoration of peace in the Gulf region. The declaration also demanded

the permanent settlement of Kashmir and Palestinian issue by the UNO and the change in the Pakistan foreign policy according to the public opinion resulting in the friendly relations with its neighbors and the Islamic countries.[167]

To show Solidarity with Iraq and in opposition to the American coalition forces a general shutter down strike was observed in the country on 10 February 1991, on the appeal of the APC. Large public demonstrations were held throughout the country in which the JUP workers and leadership participated whole heartedly.[168]

An important feature of these and other demonstration particularly organized by the JUP was a large scale display of a picture of Maulana Noorani with Saddam Hussain greeting and showing great affection to each other.[169] It became an important source of attachment between the peoples of Pakistan and Iraq.

Addressing a large public meeting, organized by the APC, at Karachi Maulana Noorani said that Saddam Hussain was not alone in this war, Allah, and his Prophet (Peace be upon him) and the Pakistani Muslims were with him. He was of the view that the Arab Sheikhs had become a sign of shame for Islam due to their misdeeds.[170]Similarly, Maulana Noorani also addressed a large number of Jihad Conference at different cities of southern Punjab organized by his party and other *Ahl-i-Sunnat* Organizations such as *Anjuman –i- Tulaba –i-Isalm (ATI) Anjuman –i- Nujaulanan -i- islam , Jamaat –i- Ahl-i- Sunnat* and other local organizations.[171]

Addressing a Jihad Conference at Dera Ghazi Khan Maulana Noorani highlighted the treacherous role of the Wahabis throughout the Muslim history and criticized the Saudi rulers for their invitation to Christians and Jews (American Coalition forces) to liberate Kuwait from Iraqi occupation, instead of taking help of the Arab League and the Organization of Islamic Countries.[172]

Similarly addressing the annual convocation of Jamia Faridia Sahiwal, Maulana Noorani said that it was proved that the Saudi King Shah Fahad by asking for help to US collation forces could not be able to defend Holy Kabaa, so he had no right to remain in power Maulana Noorani proposed the establishment of a World Muslim Council for the protection and defense of the Haramain Sharifain and the Bait -ul- Muqadis. He also demanded that these holy places must be declared protected cities and these cities had to be in case of any war on the pattern of Vatican City.[173]

At the end of his Punjab tour [174]Maulana Noorani addressed a press conference at Maultan on 4th March. He criticized the role of the IJI Government during the Gulf war. He was of the view that the Pakistani Radio and Television's (PTV) role during the Gulf war was similar even worst then the CNN.

He rejected the Prime Minister Nawaz Sharif's allegation that some religious and political parties had received foreign funds for their support to Iraq. Maulana Noorani declared that instead of leveling such allegations the Government must have started a judicial action against the culprits. He challenged Nawaz Sharif to show any evidence against his party (JUP) in this regard.

According to him it was Nawaz Sharif who was said to have received funds from the governments of Saudi Arabia and UAE against PPP during the No-Confidence motion in 1988 and in the elections of 1990. He proposed the establishment of a Judicial Commission headed by a Supreme Courts Judge (in service or retired) to enquire against the political parties and people of receiving foreign funds and those found guilty would be disqualified from contesting

elections.[175]

During and after the Gulf war Maulana Noorani and his party played a leading role not only in forming public support in favor of Iraq, but also tried to help the Iraqi people by establishing relief camps (to collect relief goods such as cloths, medicine etc) and recruitment of volunteers.

Public response to these efforts was very positive according to Maulana Noorani, just by the end of February 1991, more than 2,000,000 voluntaries had registered themselves at different

JUP recruitment centers. However the talks between the JUP leadership and the Iranian Government regarding the use of land route via Iran to send these goods and voluntaries to Iraq was not metalized as the latter refused to allow its land route to be used in this regard. On the other hand Pakistani Government, feeling the pressure of the public support for Iraq, announced not to put restrictions on any such move.[176]

Addressing JUP workers at Karachi Maulana Noorani declared the Muslims supporters (Particularly rulers of Islamic Countries) of Jews and Christians (American Coalition) were responsible for the Iraqi retreat in the war. He was of the view that had these Muslims supported Saddam Hussain, the state of Israel would not have existed on the world map. Maulana Noorani also highlighted the treacherous role of Iran against Iraq in this regard.[177]

In his separate Eid-ul-Fitar message Maulana Noorani appealed to the people of Pakistan to observe the occasion with simplicity by remembering their Iraqi brothers and deposit their donations to the JUP's account so that the relief goods could be send to Iraq at the earliest.[178]

Similarly to show solidarity with the people of Iraq Maulana Noorani visited the country and criticized the UNO and the Muslim *Ummah* for their failure to help the Iraqi people against the American coalition embargo, despite the Iraqi Government's acceptance of all UNO

resolutions.[179]

The IJI government remained under strong criticism of Maulana Noorani for its Gulf policy. For instant Maulana Noorani called the state visit of Prime Minister Nawaz Sharif to Kuwait, after the withdrawal of the Iraqi forces from the country, not in the interest of Pakistan but instead to safeguard the American interest in the region.[180]

As discussed earlier that the enforcement of Shariat remained the foremost demand of Maulana Noorani and his party and they declared their full support to the IJI Government in this regard at its formation. While on the other hand the Government remained reluctant to fulfill its promise to enforce Shariat and only after the immense pressure of the religious parties such as JUP[181] passed Shariat bill in May 1991 which "declared the Quran and the Sunnat as the law of

the land not just as the guideline."[182]

Commenting on the Shariat Bill Maulana Noorani said that despite the fact that the Bill was a collection of many shortcomings, we (JUP) did not reject it completely and were preparing suggestions for its (Bills) corrections.[183] Maulana Noorani was of the view that the Pakistani rulers were doing fraud to the people of Pakistan in the name of Shariat. He pointed out that the Shariat Bill was passed in May 1991 and in June a cultural delegation consisting of dancers was sent to Europe.[184]

To discuss the Government Shariat Bill, JUP organized a Shariat Bill Convention at Lahore in the last week of June. The convention was attended by the leading *Ulama* and leaders of party.[185] They discussed the pros and corns of the Shariat Bill and suggested measures for its improvement.[186]
The IJI Government also failed to control the deteriorating law and order situation in the country and particularly in Sindhh. "The Kalashnikov culture refused to be subdued and terrorism continued to stalk the talk. The Kidnapping for ransom... Bomb blasts in different parts of the country, notably Karachi, attacks on working journalists, and the murder of General Fazli- Haq, Ex-Governor of the North West Frontier Province (NWFP) were some indications of the pervasiveness of violence."[187]

Maulana Noorani condemned this state of affairs in his speeches, press conferences, Friday sermons and asked the Government to take strict measures in this regard.[188] To discuss the alarming law and order situation in Sindh JUP convened APC at Karachi on 15 July 1991.[189]

In his Presidential address Maulana Noorani criticized the IJI Government and called it the continuation of the Martial law in the name of democracy. He was of the view that the rulers lacked political insight and were using the name of Islam and failed to enforce Shariat despite the passing of Shariat Bill. Maulana Noorani also criticized the Government for its weak control in establishing law and order in the country. He alleged the Government for weakening patriotism, promoting bribery and spreading vulgarity through media.

He reiterated his old demand to seal the Rajhistan border between India and Pakistan in Sindh and the imposition of curfew in the border area. He was of the view that some ethnic groups (MQM and Jiay Sindh) wanted to separate Sindh from Pakistan and were working for the Indian interests.

He pointed out that the Indian agents and trained terrorists, after crossing the border and doing their activities easily return to India. He demanded the Government to recover the illegal weapons from everyone without discrimination and criticized the Chief Minister of Sindh for his use of power to crush his political opponents and not taking actions against the fierceness of torture cells in Hyderabad and Karachi where innocent people were being tortured to death.[190]

Meanwhile the IJI Government passed the twelfth Amendment to the constitution which

"provided for special courts for speedy trials in cases of a heinous nature".[191] To discuss the prevailing political and law and order situation in the country a joint meeting of the JUP *Majlis i-Shura* and *Amla* was held at Lahore on 27, 28th July under the president-ship of Maulana Noorani.

The meeting not only expressed its dissatisfaction on the deteriorating law and order situation in the country, particularly in Sindh, but also criticized the way the twelfth Amendment was passed by the Parliament in just half an hour without having any debate on it. The meeting declared the proceedings of the Parliament in this regard, the 12th Amendment provisions against the fundamental rights and the extension of the police power, undemocratic, unethical and unIslamic.[192]
Later on, when in May (1992) the military was asked to step in and assume for six months the functions of public security and law and order in Sindh Maulana Noorani supported the government decision by calling it appropriate and constitutional.[193]

Addressing a 'meet-the-press' Program at Rawalpindi Maulana Noorani declared President Ishaq Khan and Defense Minister Ghaus Ali Shah responsible for the alarming law and order situation in Sindh. According to him, they deteriorated the law and order situation in the province during Zia rule just for their personal gains. Maulana Noorani made it clear that in case of improper and incomplete military operation, the integrity of the country would be endangered.

Maulana Noorani in his addresses, the public meetings, religious congregations, convocations, Shahadat-i-Imam Hussain conferences and the press conferences at the different cities during his tour to the Punjab and the Sindh provinces supported the Army operation in Sindh. He declared MQM responsible for the deteriorating law and order situation in the urban areas of the province. Addressing the convocation at *Jamia Fridiaya Rizviyya* (Gorayshah) Lahore Maulana Noorani demanded the government to bring back Altaf Hussain (co-founder and the head of the MQM who went to self exile in London after the army operation in Sindh) and brought him to justice for his killings of thousands of people.[194]

Earlier on, JUP Sindh organized Sindh Yakjehti Conference (Sindh Solidarity Conference) and *Khadmeen* convention at Karachi in the last week of May 1992. These meetings were attended by a large number of workers and leaders of the party. Maulana Noorani in his address to the conference said, “Sindh is the land of *Saints* and *Sufis* therefore ethnicity cannot take up roots there.” He criticized Nawaz Sharif for spreading ethnicity in Punjab. Maulana Noorani demanded the government to do Army operation for the improvement of law and order situation from Karachi to Kashmor (throughout the country).[195]

Maulana Noorani not only helped the people of Iraq against the American coalition highhandedness but also supported the Kashmiri Muslims in their fight for the self determination. He demanded the Security Council resolutions of 1948 on Kashmir be implemented and showed his concern over the violation of human rights in Kashmir by the Indian government. Addressing the Jihad-i-Kashmir conference at Lahore organized by the JUP Punjab, Maulana Noorani paid rich tributes to the Mujahidin (freedom fighters) who according to him by sacrificing their lives turn the dead issue of Kashmir alive. He was of the view that these Mujahidin were not fighting Kashmir’s war but the war of Pakistan’s survival. Maulana Noorani criticized Prime Minister Nawaz Sharif for his lack of interest in the burning issue of Kashmir.[196]

Earlier on, Maulana Noorani condemned the involvement of Pakistani Government in the affairs of Azad Kashmir and declared that the un-constitutional removal of AJK Prime Minister

Mumtaz Rathor would have negative effect on the ongoing freedom struggle in Indian held Kashmir.[197]

Similarly, when the Babri Mosque in Ayodhia was razed to the ground by extremist Hindus fundamentalists on 6 December 1992[198],JUP staged strong protest and organized demonstrations and rallies throughout the country against the Indian Government. Maulana Noorani in his message from Norway condemned the Indian Government for not protecting the religious places of the Muslims in her country. He also criticized the international organizations, UNO and the

Muslim rulers for not taking any practical step in this regard despite the fact that thousands of

Muslims were killed and more than 150 mosques were destroyed in India.[199] However when the Nawaz Sharif’s government passed blasphemy law and made death sentence for such act Maulana Noorani supported the government.[200]

Maulana Noorani also tried to unite both the groups of JUP (Noorani and Niazi) when Maulana Niazi resigned from the minister-ship of the IJI government. He sent his party delegation consisting of Sahibzada Hamid Saeed Kazmi (The Parliamentary leader of JUP in the National Assembly) and Sahibzada Atiq-ur-Rehman (President of Jamiat-i-Ulama-i-Jammu Kashmir) with the offer of the Presidentship of the united JUP to Maulana Niazi. The Vice

President of JUP (Noorani) Prof. Shah Fraid ul Haq also met Maulana Niazi in this regard. However due to the non-cooperative attitude of Maulana Niazi the unification of the party did not happen.[201]

Addressing JUP Khademeen convention at Lahore Maulana Noorani declared that in the large interest of the *Ahl-i- Sunnat Wa Jamma*, the Presidentship of the united JUP was offered to Maulana Niazi but instead of showing interest for the JUP unification he (Maulana Niazi) rejoined the IJI government.[202]

After failing to achieve, for the time being his most cherished goal of the unification of both the groups of JUP and subsequently doing joint struggle for the enforcement of *Nizam-i-Mustafa* in the country, Maulana Noorani did not lose heart and started his efforts to have an alliance with other like-minded parties.

As discussed earlier that after the 1990 election "The two political alliances the IJI and the PDA, with Muslim League and the Pakistan people's party as their respective standard bearershave emerged as the main contestant for power".[203]

Maulana Noorani considered the PML and the PPP two sides of the same useless coin and believed that they could neither introduce proper Islamic system nor pure democracy in the country. Maulana Fazal ur Rehman (the head of his faction of JUI) held somewhat similar views regarding the performance of the PPP and the IJI governments.[204]

So to discuss the possibilities of the establishment a third formal alliance between JUP and JUI a formal meeting of heads of both the parties (assisted by their respective teams)[205] was held on 28 October 1991, at the residence of Pir Ijaz Hashmi, at Lahore. The meeting decided to put the proposal of the Alliance to their respective parties' councils for its final approval.[206]

The JUP held its meeting of *Majlis-i-Amla* at Lahore on 16 December 1991 under the president-ship of Maulana Noorani. The meeting gave its approval to form an alliance with JUI, similarly JUI in its separate meeting of the party's *Majlis-i-Shura* at Khanpur under the Presidentship of its Ameer Maulana Abdullah Darkhawsti approved the formation of the alliance between the two parties.[207]

Finally on 20 April 1992 an alliance between JUP and JUI by the name of Islamic Jamhoori Mahaz (IJM) was formed with Maulana Noorani its President and Maulana Fazal ur Rehman General Secretary.[208] The main aims of the IJM were as follow:

i. The enforcement of *Nizam-i-Mustafa* and protection of *Maqam-i-Mustafa.*

ii. To change the electoral system of the country by holding the elections on the basis of the proportional representation.

iii. To oppose America's 'New World Order'. [209]

Maulana Noorani who was on his 'meet-the- people' tour of the Punjab province, at the time of announcement of the formation of the IJM, in his addresses to the public meeting, press conferences and the receptions hosted in his honor at the different cities of the province strongly criticized the government for its overall performance and declared the IJI government to be under American control.[210]

Later on the IJM held public meetings at the major cities of the country to mobilize public support against the government and in favor of the alliance.[211] Earlier on, the IJM also tried to unite all opposition parties and convened a meeting at the JUP office at Lahore which was attended by major opposition parties but failed to achieve any positive development in this regard. Though the IJM's effort to form grand alliance of all opposition parties failed but the parties remained united in their opposition to the Nawaz Sharif Government.

> Mian Muhammad Nawaz Sahrif [who] started his term as Prime Minister with few limitations. He commanded a two-thirds majority in the National Assembly and overwhelming support in the Senate. All four provinces were ruled by his men. He enjoyed the confidence and support of the other two members of the power 'troika' – the President and the Chief of the Army Staff. He skillfully kept together the disparate and mutually antagonistic component parties of the ruling IJI alliance……[But] in 1992, however, Sharif's fortunes declined. The IJI coalition, a short run marriage solemnized by (ISI) agency, began to disintegrate. The National people's party (NPP) of Ghulam Mustafa Jatoi, the Jamaat-iIslami (JI) of Qazi Hussain Ahmed, and Muhajir Qaumi Movement (MQM) of Altaf Hussain, at different times and for different reasons, broke ranks with the alliance …. The formation of a conscience group in the Senate by some IJI Senators weakened Sharif's hold over the upper house as well as put political survival at stake, Nawaz Sharif, like Zia ul Haq before him, played the Islamic card. Addressing a gathering of religious leaders at Islamabad, Sharif announced his resolve to amend the constitution to ensure the Supremacy of the Shariat as the law of the land, even though the National Assembly had already enacted a subconstitutional law to this effect in 1991. The Prime Minister's policy seemed to be "hunting with the hounds and running with the hare". On Independence Day (14th August) he declared himself to be the standard bearer of Jinnah's principles and on Zia's death anniversary three days later, he pronounced himself the guardian of the Zia's legacy. It did not bother him that Jinnah, the "further" of Pakistan was a democrat…and Zia was a ruthless military dictator…[212]

The power struggle between Prime Minister Nawaz Sharif and President Ishaq Khan which began over the selection of new COAS[213] resulted in the dismissal of Nawaz Sharif as Prime Minister and the dissolution of the National Assembly by the President on 18 April 1993.

President also announced fresh elections on 14th July under the caretaker Prime Minister Mir Balkh Sher Mazari.[214]

The caretaker setup had lasted hardly six weeks when on 26 May the Supreme Court, on a writ petition filed by Nawaz Sharif against the dissolution of the National Assembly, reinstated both the Prime Minister Nawaz Sharif government and the National Assembly, declaring the Presidential order illegal and "unconstitutional."[215]

The Court decision did not stop the President from embarking upon a second round of struggle rather than quitting the field gracefully. A new power game started between the President and newly restored Prime Minister and finally the COAS had to intervene and broke the deal under which both Ghulam Ishaq Khan and Nawaz Sharif stepped down on 18th July. A new caretaker setup was announced with Senate Chairman Wasim Sajjad as President and

Moeen Qureshi (a former vice-President of the World Bank) as Prime Minister. National and Provincial Assembly elections were set for 6 and 9th October respectively.[216]

To chalk out JUP, IJM plan for the active participation in the upcoming elections separate meetings of the JUP *Majlis-i-Amla* and the IJM, *Majlis-i-Shura* were held at Lahore on 21, 22nd July respectively.

Maulana Noorani in his address, to the meeting of JUP *Majlis-i-Amla* highlighted the need for the free and fair elections, based on the system of proportional representation and polling for the National and Provincial Assemblies on the same day. He demanded the cancellation of bogus identity (ID) cards issued during the Nawaz Sharif government with upholding the restriction of showing the ID cards at the time of casting votes. He was of the view that the election rule and regulation should be changed and the announcement of the result should be made on the spot. He demanded that the Chief Election Commissioner should convene all parties' conference to discuss the issues related to the holding of free and fair elections.

Maulana Noorani highlighted the need for reducing the limit of the approved election expenditures by a candidate and ban on the regional, linguistic and ethnic parties for their participation in the elections and declaration of assets by all candidates contesting elections. He also demanded the government to educate people to cast their votes by running a vast campaign in this regard on the State Radio and the Television.

While addressing the meeting of *Majlis-i-Shura* of the IJM Maulana Noorani declared that their doors for the political alliance with other parties including Nawaz Sharif's Muslim League were open. He was of the view that IJM was ready to cooperate with every political party for the promotion of positive values, neat and clean politics, strengthening of patriotism and national solidarity. For this purpose a six member IJM negotiation committee headed by Gen (R) K. M. Azhar was formed.[217]

Similarly addressing a meeting of JUP *Khademeen* at Lahore Maulana Noorani highlighted the past struggle of his party for the enforcement of *Nizam-i-Mustafa* in the country by not only facing landlords and capitalists in Punjab but also linguistic and ethnic 'terrorism' in Karachi and Hyderabad. He pointed out that during their struggle they faced all sorts of hardships and declared that goli (built) and gali (Insult/Abuse) could neither stop their struggle in the past nor in the future.[218]

He criticized the Nawaz Sharif government for its unIslamic practices and failure to enforce Islam in the country. Maulana Noorani pointed out that despite all that Maulana Niazi remained part of the IJI government.[219]

Maulana Noorani once again become the victim of political intolerance and use of violence to terrorize political opponents (a common practice in the Pakistani politics). On his return to Karachi, on 22nd July, after attending the above-mentioned meetings, at Lahore Airport, the workers of the PML-N (who gathered there to receive Nawaz Sharif coming from Islamabad) not only attack Maulana Noorani's car but also raised slogans against him.[220] The incident was

condemned by the religious and political leaders of the country.[221]

The IJM issued its manifesto in the second week of September declaring to enforce the

Nizam-i-Mustafa in the country.[222] It started its election campaign by organizing public meetings at major cities of the country addressed by its top leadership. The main focus of their speeches remained the poor performance of the past PPP and IJI governments. They presented the IJM as the most suitable choice to the nation instead of the PPP and the PML (N). An important feature of the IJM election campaign was its anti-American stance regarding US anti-Muslim policy and her interference in the internal affairs of the Islamic countries particularly Pakistan.

Addressing the *Jeway* Pakistan Convention (Long Live Pakistan Convention) Maulana Noorani declared Nawaz Sharif and Benazir Bhutto as American agents. He was of the view that the people had rejected both these leaders.[223]Similarly in his address to a public meeting at Dera Ismail Khan on 3rd September Maulana Noorani declared that America wanted to decimate the unity of the religious parties however they had decided not to contest upcoming elections against one another.[224] To show the unity of different religious parties and alliances the IJM and the Islamic Front (IF) organized a joint public meeting, on 24th September, at Nishter Park Karachi. The meeting was attended by a large number of people. Maulana Noorani in his address declared Pakistan as the fort of Islam and reminded that they would not let 'secular' forces to damaged it.[225]

Similarly addressing an election meeting at Hyderabad, Maulana Noorani said that the destiny of the country was attached to *Nizam-i-Mustafa*, and foreign agents (the MQM) wanted to repeat the history of East Pakistan. He advised the people that it would be unwise to judge already tested people and parties.[226]

Contrary to his advice the result of the mid-term general elections, held on 6th October for the National Assembly and 9th October for Provincial Assemblies, showed that PPP and PML (N) emerged as the two leading parties of the country, capturing 86 and 72 respectively, in the

National Assembly of 207 seats.[227] The IJM performance in the election was very poor it only got 4 seats while other religious parties and alliances faced the similar fate. The IF got only 3 seats while Mutahida Deeni Mahaz (MDM) only 2 seats in the National Assembly.[228]

Maulana Noorani, who contested the election from two different constituencies of Sindh and Punjab, lost both of them.[229] Same was the case with his party who also failed to gain a single seat in the National Assembly. Maulana Noorani later on made Nawaz Sharif responsible for the

defeat of the religious parties and success of the PPP.[230]

NOTES

Chapter 6

[1]Waseem, *Politics in Pakistan*, 435.

[2] Ibid.

[3] Iqbal Ahmed and Nasim Zehra, "Pakistan after Zia," *Middle East Report* 155, *The Middle East after Reagan* (November-December 1988), 32.

[4] *Nation (Lahore)*, 11September 1988.

[5] Ibid.

[6] Ibid.

[7] *Nawa-i- Waqt (Rawalpindi)*, 1 September 1988.

[8] Ibid.; Later on the issue was settled when Supreme Court gave its decision in favor of party base elections.

[9] Ibid.

[10] *Nation (Lahore)*, 24 September 1988.

[11] Ibid.

[12] *Dawn (Karachi)*, 16 September 1988.

[13] Ibid.

[14] General Zia's order of the dissolution of National Assembly on 29 May 1988 was declared illegal and unconstitutional in a constitution petition which was finally decided by a full bench of the Lahore High Court in the case titled 'Muhammad Sharif versus Federation of Pakistan'. The Court also declined the request for the restoration of the Assembly and the cabinet. The judgment of the Lahore High Court was challenged before the Supreme Court of Pakistan which finally decided the matter in the case titled 'Federation of Pakistan versus Muhammad Saifullah Khan'. The Supreme Court upheld the judgment of the Lahore High Court. Khan, *Constitutional History*,389-90.

[15] He had meetings with Muhammad Khan Junejo President of Pakistan Muslim League (Junejo) PML(J), Muhammad Asghar Ali Khan President Tehrik-i-Istaklal (TI), Ghous Buksh Bazinjo President Pakistan National Party (PNP) and Mian Nawaz Sharif Secretary General of Pakistan Muslim League (Fida) PML(F). Maulana Noorani was very optimistic of his party's chances of having an election alliance with TI and PML(J) as compare to PML(F) and PNP. *Nawa-i- Waqt (Rawalpindi),* 1 September 1988. For the details of Maulana Noorani's meetings with Junejo and Asghar Khan see Khan, *Struggle*, 389-90.

[16] Rais, "Pakistan in 1988," 202. Rais mentioned National People's Party headed by Ghulam Mustafa Jatoi as the third party in PAI instead of PML (J). It is incorrect the Alliance was composed of JUP, TI and PML (J). See Khan, History, 196; Khan, Struggle, 391.

[17] Waseem, *Politics in Pakistan*, 436-37.

[18] Ibid., 437.

[19] Ibid.

[20] Khan, *History*, 197.

[21] *Frontier Post (Peshawar),* 20 October 1988; *Nation (Lahore)* 20 October 1988; *Nawa-i- Waqt (Rawalpindi*), 20 October 1988.

[22] Ibid.

[23] PML was divided into two groups when the political elements previously identified with Zia tried to take over the leadership of the party from Junejo. Following a pandemonium in Islamabad between the Pro-Zia and Pro-Junejo members of the party, the former elected Fida Muhammad Khan and Nawaz Sharif as President and Secretary General of their own faction which was led by the four Chief Ministers. Junejo responded by sacking the caretaker Chief Ministers and many Federal Ministers from the party and demanded the removal of the caretaker governments.

[24] The *Frontier Post (Peshawar),* 20 October 1988; *Nation (Lahore)* 20 October 1988; *Nawa-i- Waqt* (*Rawalpindi*), 20 October 1988.

[25] Ibid.

[26] Ibid.

[27] Waseem, *Politics in Pakistan*, 440-1.

[28] Interview Muhammad Khan Laghari .

[29] *Nawa-i- Waqat (Rawalpindi),* 1 September 1988.

[30] Charles H. Kennedy, "Islamization and Legal Reforms in Pakistan, 1997-1998," *Pacific Affairs* 63, no. 1 (Spring, 1990) : 76.On the issue, can a woman be a head of state in Islam? See Maulana Ata Muhammad Bandialvi, *Masla-iImamat aur Aurat ki Hukamrani* (Lahore:Maktaba Jamal-i-Karam, 2004).

[31] Waseem, *Politics in Pakistan*, 448.

[32] *Chatan* , 20 September 1989, 39; Maulana Masoodi's announcement was that Islam permitted a woman to be a head of State though it was not desirable. Khan, *Constitutional History*, 162.

[33] Oskar Verkaaik, "Muhajir Politics: Ethnicity, Islam and the Muhajir Qaumi Movement," in Ravi Kalia (ed.), *Pakistan: From the Rhetoric or Democracy to the Rise of Military* (London: Routledge, 2011), 52.

[34] Ibid., 50; Farhat Haq, "Rise of the MQM Pakistan: Politics of Ethnic Mobilization," *Asian Survey* 35, no. 11, (November, 1995) : 991.

[35] Ibid.

[36] Verkaaik, "Muhajir Politics," 51.

[37] Haq, "Rise of the MQM," 992.

[38] *Nawa-i-Waqt (Rawalpindi),* 1September 1986.

[39] Detail of this controversy has been discussed in Chapter # 2.

[40] Arif Azad, "MQM and Growth of Ethnic Movements in Pakistan," *Economic and Political Weekly* 31, no. 18, (4 May, 1996) : 1062.

[41]For Maulana Noorani support of MRD Movement and his visits of Sindh as the head of Sindh Unity Board delegation to show unity between new and old Sindhis i.e Urdu speaking and Sindhi speaking residents of the Sindh province see Chapter # 2.

[42] Azad, "MQM," 1062.

[43] Verkaaik, "Muhajir Politics," 54.

[44] Ibid., 56.

[45] Ibid.

[46] *Jasarat (Karachi),* 8, 12 February 1988.

[47] *Nation (Lahore),* 10 September 1988.

[48] Ibid.

[49] Ibid.

[50] Ibid.

[51] Azad, "MQM," 1062.

[52] *Nawa-i-Waqt (Rawalpindi),* 1 September 1988.

[53] Ibid.

[54] Ibid.

[55] Ibid.

[56] Ibid.

[57] Waseem, *Politics in Pakistan*, 448.

[58] *Chatan*, 20 September 1989, 16.

[59] Ibid.

[60] Ibid.14.

[61] Waseem, *Politics in Pakistan*, 447.

[62] *Chatan*, 20 September 1989, 14.

[63] Ibid., 13

[64] *Chatan*, 20 September 1989, 14.

[65] Waseem, *Politics in Pakistan*, 448.

[66] *Chatan*, 20 September 1989,13; *Jang (Karachi)*, 22 October, 1992.

[67] *Chatan*, 20 September 1989. 13-4; The two seats which IJI was willing to give to PAI were for the respective heads of the alliance Maulana Shah Ahmed Noorani of JUP and Air Martial(R) Muhammad Asghar Khan of TI. According to Ashraf Khan the head of Khaksar Tehrik [a component party of IJI] 'the JI leadership strongly opposed Muhammad Khan Junejo's proposal to form an electoral alliance between PAI and IJI.' *Weekly Inkishaf* (*Lahore*), 1 February 1989, 15.

[68] *Chatan*, 26 September 1989, 14.

[69] Khan, *Struggle*, 393.

[70] *Chatan*, 26 September 1989, 12.

[71] Waseem, *Politics in Pakistan*, 437.

[72] *Chatan*, 26 September 1989, 12.

[73] See Article 91(2) of RCO and for 8th Amendment Article 91 (2A).

[74] Article 91(3).

[75] Understandably, Nawaz Sharif was counting on this Presidential Power. If, he would have time (60 days), to win over 50 other members to form a majority and to obtain a vote of confidence.

[76] The PPP and the MQM became coalition partners after signing a 59 point agreement, the Karachi Accord. The first 14 provisions of this agreement were devoted to general statements supporting a democratic system, protecting political rights, upholding the rights of all oppressed people, and so on. Other provisions were devoted to specific promises of better housing for the urban poor, better transportation, and more hospital beds for all of Sindh. Nine points were devoted to education, including creating "objective" criteria for admissions to colleges and universities. Other important and somewhat controversial points included: repatriation of Afghan refugees; the provision that only citizens could buy property in Pakistan while Pakistanis living abroad would have all the privileges of

citizenship; restrictions on arms licenses; review of the status of political prisoners held since July 1977; and compensation to be considered for next to kin of persons massacred in September and October 1988 in Hyderabad and Karachi; Haq, "Rise of MQM," 989 – 9; For September 1988 killing see Kalia, "Rise of Military," 57.

[77] In Sindh PPP had won 67 out of 100 general seats in Provincial Assembly.

[78] In the NWFP out of 80 general seats, the IJI had won 28 seats, followed by the PPP which won 22 and the ANP which won 13 seats. 15 independent members had also been elected.

[79] In Baluchistan, out of 40 general seats, 11 were won by JUI (F), 10 by Baluchistan National Alliance (BNP), 8 by IJI and 4 by PPP remaining 7 were by independents and minor political parties.

[80] *Nation (Lahore),* 11 December 1988.

[81] Ibid.; *Pakistan Times (Islamabad),* 11 December 1988.

[82] *Nation (Lahore),* 10 December 1988.

[83] *Pakistan Times (Islamabad),* 10 December 1988.

[84] *Ahwal,* 8-14 March 1990, 33.

[85] Seyyed Vali Reza Nasr, "Democracy and the Crisis of Governability in Pakistan," *Asian Survey* 32, no. 6 (June, 1992) : 525.

[86] *Jang (Rawalpindi),* 10 December 1988; *Nation (Lahore),* 11 December 1988; *Pakistan Times (Islamabad*), 11 December 1988.

[87] Waseem, *Politics in Pakistan*, 456.

[88] *Chatan*, 20 September 1989, 16.

[89] Ibid.,38; *Ahwal*, 28 September - 4 October 1989, 29 – 30.

[90] *Ahwal*, 28 September - 4 October 1989, 30.

[91] *Muslim (Islamabad),* 24 October 1989.

[92] *Ahwal,* 27 September- 4 October 1989, 24.

[93] *Ahwal*, 8 – 14 March 1990, 30.

[94] Lawrence Ziring, "Pakistan in 1989: The politics of Stalemate," *Asian Survey* 30, no. 2, (February, 1990) : 132.

[95] For detail of the no-confidence move by the opposition see Ibid., 131-135.

[96] *Ahwal*, 1-7 March 1990, 10.

[97] Ibid. [98] Ibid.

[99] The National Assembly seat of NA-99 Lahore became vacant after the sudden death of PPP MNA Haji Muhammad Asghar Gharki, who was arrested, few months before his death, by the Punjab Government on the charges of Gold Smuggling later on he was released on bail and died due to heart attack. Ibid. *Ahwal*, 18-24 March 1990, 32.

[100] Ibid. Maulana Alwari secured more than 20, 000 votes in 1985 non-party elections was a JUP candidate in 1988 election by securing round about 12, 000 votes. He was a head of a religious school in Raiwand Lahore.

[101] *Ahwal*, 1-7 March 1990, 35.

[102] For detail of different tactics to win over the voters of the NA-99 by PPP and IJI see Ibid., 36-37.

[103] *Ahwal*, 8-14 March 1990, 34.

[104] Syed Ahmed Qudwai, Allam Shah Ahmed Noorani: *Aik Tarekh- Aik Ehad* (Lahore: Hafeez Publishers, 2004),56.

[105] *Ahwal*, 1-7 March 1990, 10.

[106] Ibid., 36.

[107] Ibid., 9; *Ahwal*, 8-14 March 1990, 10.

[108] He was in Holland where his son was hospitalized and being operated.

[109] *Ahwal*, 1-7 March 1990, 10.

[110] Ibid.; Maulana Fateh Muhammad Barozai a member of the HLC did not attend the meeting due to his personal reasons.

[111] Ibid.

[112] Ibid., 28.

[113] Ibid., *Ahwal*, 1-7 March 1990, 37; Qudwai, Allama Noorani, 57.

[114] The Press release was in fact issued by Engineer Saleem Ullah Khan a close associate of Maulana Niazi instead of Central or Provincial Press Sectary of the Party resulted in strong protest by Party workers. *Ahwal*, 1-7 March 1990, 35.

[115] Ibid., 37; Qudwai, Allama Noorani, 57.

[116] Ibid. [117] Ibid.

[118] For the detail of Maulana Niazi's point of view see Qari Abdul Hameed Qadri ed., *Jamiat-i-Ulama-i-Pakistan Apni Tarikh Kay Aham More Par* (Lahore, n.d.), 7-8.

[119] Ibid., 9.

[120] Ibid; According to JUP(Niazi) sources the convention was attended by more than 300,00 Khademeen from all the Provinces of Pakistan.

[121] *Ahwal*, 8-14 March 1990, 28,30.

[122] Ibid., 30.

[123] Ibid.

[124] *Nida-i-Ahl-i-Sunnat*, April 1990, 2, 3, 8.

[125] *Ahwal*, 29 March – 4 April 1990, 15-16.

[126] Ibid.,16.

[127] *Nida-i-Ahl-i-Sunnat,* April 1990, 8. For detail of the speeches made at the Lahore convention see Qadri, *Tarikh kay Aham More Par*, 2 -9; and for the detail of speeches delivered at the Multan convention see *Ahwal*, 29 March -4 April 1990, 13-6, 50; *Nida-i- Ahl-i-Sunnat,* April 1990, 2-6; For the difference in attitude between Maulana Noorani and Maulana Niazi regarding the reunion of JUP and their groups see *Nida-i- Ahl-i-Sunnat,*16-30 July 1990, 16. The people who were considered to be anti-Noorani were Haneef Tayyab, Maulana Muhammad Sharif, Maulana Abdul Qayyum Hazarvi, Khawaja Muhammad Hameed Sialvi, it was interesting to note that Hanif Tayyab even merged his newly formed party known as Nizam-i-Mustafa Party into JUP Niazi Group.

[128] For the detail of Maulana Noorani Tour of Faisalabad and Lahore divisions see *Ahwal*, 2 – 8 August 1990, 40 – 40; *Ahwal,* 9 – 15 August 1990, 6 – 8.

[129] Khan, *Constitutional History,* 402-3. The order of dissolution of the National Assembly was soon followed by the dissolution of the Provincial Assemblies. The order of the dissolution of the National Assembly was challenged before the Lahore High Court and the Sindh High Court. The full benches of the Lahore and Sindh High Courts separately upheld the order of the dissolution passed by the President. The judgment of the Lahore High Court was challenged before the Supreme Court of Pakistan in Khawaja Ahmed Tariq Rahim Vs The Federation of Pakistan. The Supreme Court upheld the judgment of the Lahore High Court by a majority.

[130] Lawrence Ziring, "Pakistan in 1990: The Fall of Benazir Bhutto," *Asian Survey* 31, no.2 (Feb., 1991) : 114.

[131] Nida-i-Ahle-i Sunnat, 1-15 November 1990; For the detail of accountability process see Ziring, "The Fall of Benazir Bhutto," 114-115.

[132] Ziring, "The Fall of Benazir Bhutto," 115.

[133] Ibid., 114.

[134] Ibid., 118.

[135] Ibid.

[136] *Ahwal*, 28 June - 4 July 1990, 12.

[137] Ibid., 11.

[138] For the complete list of JUP candidates of National Assembly seats see *Nida-i-Ahl-i-Sunnat*, October 1990, 8.

[139] For the detail of the manifesto see Ibid., 9-13; Also see *Ahwal*, 18-24 October, 1990, 22-23.

[140] *Nida-i-Ahl-i-Sunnat*, October 1990, 13.

[141] For JUP allegations regarding rigging in the elections see *Nida-i-Ahl-i-Sunnat,* 1-15 November 1990, passim; *Nida-i-Ahl-i-Sunnat,* 16 - 30 November 1990, 4 - 7; *Ahwal*, 4 - 14 November 1990, 6-7. For PDA allegations see PDA, *How elections was stolen?* : *The PDA white paper on the Pakistan Elections 1990* (Lahore: n.d.).

[142] Ziring, "The Fall of Benazir Bhutto," 122.

[143] Muhammad Waseem, "Pakistan Lingering Crisis of Diarchy," *Asian Survey* 32, no. 7, (July, 1992) : 626.

[144] *Nida-i-Ahl-i-Sunnat*, 1-15 January 1991, 15.

[145] Ibid.

[146] Ziring, "The Fall of Benazir Bhutto", 124.

[147] *Nida-i-Ahl-i-Sunnat,* 1-15 January 1991, 9.

[148] Maha Azzam, "The Gulf crisis: perceptions in the Muslim world," *International Affairs, Royal Institute of International Affairs-1944* 67, no. 3 : 478-9.

[149] *Nida-i-Ahl-i-Sunnat,* 1-15 January 1991, 9.

[150] Ibid., 16.

[151] Azzam, "The Gulf crisis," 481.

[152] For detail of his tour see *Nida-i-Ahl-i-Sunnat,* 16 -31 January 1991, 14 -16.

[153] Azzam, "The Gulf crisis", 483. For the role of Ulama in the politics of Saudi Arabia see Joseph A. Kechichian, "The Role of Ulama in Politics of an Islamic State: The Case of Saudi Arabia," *International Journal of Middle East Studies* 18, no. 1 (Feb., 1986) : 53-71.

[154] James Piscatori, "Religion and Realpolitik: Islamic responses to the Gulf war," *Bulletin of the American Academy of Arts and Science* 45, no. 1, (October, 1991) : 28.

[155] *Nida-i-Ahl-i-Sunnat,* 16-30 January 1991, 14.

[156] Ibid.

[157] *Ahwal*, 17 -23 January 1991, 78.

[158] Ibid., 9.

[159] For the JUP rallies, demonstration and public meetings from 17 to 29 January 1991 see *Nida-i-Ahl-i-Sunnat*, 1-15 February 1991, 3-5.

[160] Ibid,16.

[161] For Nawaz Sharif 'Peace Mission' see Ibid, 2.

[162] *Nida-i-Ahl-i-Sunnat*, 1-15 February 1991, 16.

[163] Ibid., 15-16.

[164] Ibid.,15.

[165] The recipients of Maulana Noorani's telegrams were the Russian President, the UN Secretary General and the head of the Non-Allian Movement. Ibid., 16.

[166] For instance JUP General Secretary Gen (R) K. M. Azhar, in the government convened all parties conference held on 2 February 1991 at Islamabad for the briefing on Prime Minister Nawaz Sharif 'Peace Mission', criticized the IJI government and called its decision to send troops to Saudi Arabia as an un-constitutional act. *Nida-i-Ahl-iSunnat,* 16-28 February 1991, 4.

[167] For details of APC see Ibid., 3-4, 7.

[168] For APC general strike and public demonstration see *Nida-i-Ahl-i-Sunnat,* 16-28 Feb 1991, 13, 15, 16 ; *Ahwal*, 21-27 Feb 1991, 44-45.

[169] For the pictures see Private Collection, Maulana Muhamad Younis Noshahi, Hafizabad.

[170] *Nida-i- Ahl-i- Sunnat,* 16-28 February 1991, 16. *Ahwal,* 21-27 February 1991, 42.

[171] Maulana Noorani undertook the tour from 23-27 February in which he address different Jihad Conferences at Multan, Dera Ghazi Khan , Jampur, Rajanpur, Alipur, Muzafargarh,Tunsa Sharif, Kotado Choack Azam and Liaya . *Nida –i- Ahl-i- Sunnat* , 1-15 March 1991 ,16.

[172] For details of his speech see Ibid.

[173] For detail of Maulana Noorani speech see *Nida-i- Ahl-i- Sunnat* ,16-31 March 1991,15.

[174] For the detail of the last leg of Maulana Noorani's tour see Ibid, 15-16.

[175] For detail of his press conference see, Ibid, 6,16.

[176] *Nida –i- Ahl-i- Sunnat,* 1-15 March 1991,13. [177] *Nida –i- Ahl-i-Sunnat,* 1-15 April 1991 15-16

[178] Ibid.,16.

[179] Ibid.

[180] *Nida-i-Ahl-i-Sunnat,* 1-15 April 1991, 15-16.

[181] For the demand of the enforcement of Shariat by JUP to the IJI Government see *Nida –i- Ahl –i-Sunnat,* 16-31 December 1990,14; *Nida –i- Ahl –i-Sunnat,* 1-15 January 1991, 16.

[182] Rais A. Khan, "Pakistan in 1991: Light and shadows,"*Asian Survey* 32, no.2 (February,1992): 199.

[183] *Nida -i- Ahl -i- Sunnat* , 1-15 July 1991,15.

[184] Ibid.

[185] Participants included Allama Ata Muhammad Bandialvi, Prof.Shah Farid –Ul-Haq, Allama Syed Muhammad Ahmad Rizvi,Gen(R) K.M Azhar ,Allama Ghulam Farid Hazarvi,Maulana Abdul Aziz ,Mualana Muhammad Ejaib Qadari, Allama Gul Ahmed , Maulana Abdul Hakeem Sharif Qadari, Maulana Pir Khadim Saraqpuri , Maulana Anwar –ul- Islam Rizvi , Allama Iqbal Ahmed Farooqi, Syed Muhammad Mahfuz Mashhadi ,Sahibzada Muhammad Fazil-ur-Rehman ,Maulana Abdul Ghafoor Alvari , Qari Abdul Rasheed Sialvi , Qari Zawar Bhadar,
Allama Syed Shabir Ahmed Hashmi, Maulana Ahmed Ali Sindhialvi, Qari Ghulam Rasool , Hafiz Fida Muhammad Waqas,Mulana Muhammmad Ashraf Naqishbandi, Sahibzada Syed Mustafa Ashraf , Pir Ejaz Hashmi, Sardar Muhammad Khan Laghari, Haji Javed Iqbal. Ibid.,13.

[186] For detail of the convention see Ibid.,14.

[187] Khan, "Pakistan in 1991," 199.

[188] For Maulana Noorani Statement in this regard see *Nida-i- Ahl -i- Sunnat* 1-15,January 1991,16.

[189] The APC was attended by JUI (F) ,PNP ,TI,Cammunist Party, Mazdur Kisan Party ,PPP ,PML (Sheikh Liaqat Group), PML (Malik Qasim Group), PML (Qayum Group), National Peoples Party , Sindh National Front ,JI, Muhajir Rabta Council, Sindhhi Itihad , Pakistan Jamhuri Party, *Nida –i- Ahl –i- Sunnat* , 1-15 August ,1991,15

[190] Ibid.; For detail of the APC proceedings see Ibid.,15,16.

[191] Khan, "Pakistan in 1991," 199. The twelfth Amendment was passed on 18 July by the Parliament.

[192] *Nida-i- Ahl –i- Sunnat* ,1-15 August 1991,14.

[193] *Nida –i- Ahl –i- Sunnat* 16-31 July 1992 ,9; Rais Ahmad Khan, "Pakistan in 1992: Waiting for change," Asian *Survey* 33, no.2, (Feb, 1993):131.

[194] *Nida-i-Ahl-i-Sunnat*, 16-31 July 1992, 15. For detail of Maulana Noorani addresses during his Tour to the Punjab and Sindh provinces see Ibid., 4-5, 9, 14-15, Passim; *Nida-i-Ahl-i-Sunnat*, 16-30 June 1992, 13-15; also see *Ahwal*, 30 July -15 August 1992, 21-24.

[195] For details of these meetings see *Nida-i-Ahl-i-Sunnat*, 1-15 June 1992, 15; *Nida-i-Ahl-i-Sunnat,* 16-30 June 1992 6-9.

[196] *Nida-i-Ahl-i-Sunnat*, 1-15 August, 1991, 16. The conference was addressed by other prominent political leaders of the different parties such as Air Martial (R) Asghar Khan, Malik Muhammad Qasim, Nawabzada Nasrullah Khan, Ahmed Saeed Kirmani, Abdul Qadeer Khamoosh, Shah Faridul Haq. For Maulana Noorani criticism of Nawaz Sharif government on Kashmir issue see *Nida-i-Ahl-i-Sunnat*, 1-15 Nov 1991, 11, 13, 16; *Nida-i-Ahl-i-Sunnat*, 1-15 January 1992, 16; *Nida-i-Ahl-i-Sunnat*, 16-30 January 1992, 15-16.

[197] *Nida-i-Ahle-i-Sunnat,* 16-31 July 1991, 16.

[198] For detail see Farzana Shakoor, "Babri mosque and India's secularism," *Pakistan Horizon* 46, no. 2, (April 1993): 43-54.

[199] *Nida-i-Ahl-i-Sunnat*, 16-31 December 1992, 15-16.

[200] *Nida-i-Ahl-i-Sunnat*, 16-31 August 1991.

[201] For Maulana Noorani efforts for the unification of JUP see *Nida-i-Ahl-i-Sunnat*, 16-31 March 1991, 5; *Nida-iAhl-i-Sunnat* 1-15 April 1991, 15; *Nida-i-Ahl-i-Sunnat* 1-15 May 1991, 11.

[202] *Nida-i-Ahl-i-Sunnat*, 1-15 November 1991, 16.

[203] Khan, "Pakistan in 1991," 198.

[204] *Nida-i-Ahl-i-Sunnat*, 1-15 November 1991, 15.

[205] JUP team was headed by Maulana Noorani other members were Gen (R) K. M. Azhar, Pir Ijaz Hashmi, Gen (R) Muhammad Hussain Ansari, Syed Shabbir Hashmi and Muhammad Khan Laghari while JUI team was consisted of its head Maulana Fazlur Rehman, Maulana Muhammad Ajmal Khan, Maulana Amjid Khan, Hafiz Muhammad Yousaf, Maulana Saif-du-Din Saif, Maulana Ajmal Qadri. Ibid.

[206] Ibid.

[207] *Nida-i-Ahl-i-Sunnat*, 1-15 January 1992, 15.

[208] Ibid., 11.

[209] For detail of IJM Manifesto and organizational setup see Ibid.

[210] For detail of Maulana Noorani Punjab tour sees, Ibid. 10, 13-16.

[211] For IJM public meetings at different cities of the country see *Nida-i-Ahl-i-Sunnat*, 16-30 June 1992, 4, 12-13, 16; *Nida-i-Ahl-i-Sunnat*,16-31 July 1992, 14-16.

[212] Khan, "Pakistan in 1992," 130-31.

[213] After the sudden heart attack and death of COAS General Asif Nawaz on 8 January 1992 President appointed Lieutenant General Abdul Waheed Kakar, superseding six lieutenant generals in the line of seniority without consulting the Prime Minister. Similarly in the past President ignored Sharif's recommendations for the COAS appointment on the retirement of General Mirza Alam Baig on 16 August 1991 and placed General Aisf Nawaz in charge

[214] For detail of the power struggle between Prime Minister and President see Tahir Amin, "Pakistan in 1993: Some dramatic changes," *Asian Survey* 34, no. 2, (Feb., 1994): 191-192; also see Samina Yasmeen, "Democracy in Pakistan: the third dismissal," *Asian Survey* 34, no. 6,(June., 1994): 577-78; For 8th amendment and PPP, IJI government see Muhammad Waseem, "Pakistan's Lingering Crisis of Dyarchy," *Asian Survey* 32. no. 7 (July 1992): 619-634. Soon the representatives of the Pakistan people's party, Jamiat-i-Ulama-Islam, Tehrik-i-Istiqlal, Pakistan Muslim League and Jamiat-i-Ulama-i-Pakistan joined the caretaker cabinet. Yasmeen, "Democracy in Pakistan," 579.

[215] Amin, "Pakistan in 1993," 193.

[216] For detail for the second round of confrontation between the President and Prime Minister see Yasmeen, "Democracy in Pakistan," 580-87.

[217] Other members of the committee were Prof. Shah Farid-ul-Haq, Hafiz Hussain Ahmed, Syed Hamid Saeed Kazmi, Syed Amir Hussain Gilanai and Qari Sher Afzal. For detail of the meetings of JUP and IJM Majlis-i-Aamla and Shura see *Nida-i-Ahl-i-Sunnat*, 15-31 August 1993, 6, 7.

[218] Ibid.,15.

[219] Ibid.

[220] For full detail of the incident see Ibid., 2-3.

[221] For condemnation statement by different political leaders see Ibid., 16.

[222] For main points of the IJM and JUP manifestos see *Nida-i-Ahl-i-Sunnat*, 16-30 September 1993, 3.

[223] Ghafoor Ahmed, *Benazir Ka Arooj-o-Zawal* (Lahore: Al Qamir Interprises, 2001), 53.

[224] *Nida-i-Ahl-i-Sunnat*, 1-15 September 1993,6.

[225] Ahmed, *Arooj-o-Zawal*, 77.

[226] Ibid., 96.

[227] Amin, "Pakistan in 1993," 195.

[228] Ahmed, *Arooj-o-Zawal*, 109.

[229]. *Nida-i-Ahl-i-Sunnat*, 16-30 September, 1993, 16.

[230] *Nida-i-Ahl-i-Sunnat*, 16-31 December 1993, 8.

Chapter 7
Democratic Interlude-II
(Second Terms of Benazir Bhutto and Nawaz Sharif)
1993-1999

According to Paula Newberg, "Even in the annals of Pakistan's fractions and byzantine politics, 1993 was an unusual year. By year's end the country had survived five governments, four prime ministers, three Presidents, two Army Chiefs, end one remarkable engineered election that returned Prime Minister Benazir Bhutto to office."[1] Though the October 1993 elections resulted in a hung Parliament, the PPP, with the help of PML (J), independents and minorities, was able to cobble together a fragile coalition at the center and Benazir Bhutto elected Prime

Minister on 19th October.[2] The PPP also succeeded in establishing provincial governments in Punjab (coalition with PML (J) and Main Manzoor Watoo as Chief Minister of the province) and

Sindh. The PML (Nawaz) on the other hand, only managed to form a coalition government in the NWFP with the help of the ANP and sat as opposition at the Centre and in Punjab.[3]

The PPP's major success, however, was in getting Benazir Bhutto's close confident Farooq

Laghari elected as President on 13th November, who defeated the PML (N) candidate Wasim Sajjad on 274 to 168 votes.[4] The PPP felt more secure after this victory because the relationship with the President had been a constant source of tension during the three previous regimes.

In his first speech Laghari stated that the sooner the eighth amendment was lifted, the better it would be.[5] He urged the need to forge a working union of the chief executive, the government, the legislature and the civil service and asked his compatriots to shed the negativism of the past and join him in a common effort aimed at giving a positive face to Pakistani Politics.[6] Similarly, earlier on Benazir Bhutto in her first statement after taking oath of office declared it "a moment of reconciliation" and pledged to "work to strengthen democracy, and promote tolerance". The leader of the opposition in the National Assembly Nawaz Sharif in his statement declared to cooperate with the government for the cause of democracy.[7] But sooner an intense political confrontation between the PPP government and opposition dominated Pakistani politics.

Maulana Noorani remained a strong opponent of the 8th amendment and considered it to be

Gen. (R) Zia's legacy. However for the political stability of the country he believed that the right to dissolve the National Assembly should be given to the Senate (upper house) of Pakistan because it represented all the federal units. He was of the view that in case of the President opinion that the National Assembly was not functioning properly he would have the right to refer the matter to the upper house and if the Senate consider it appropriate it could dissolve the National Assembly.[8]

It was a good proposal keeping in view the instable political history of the country, but unfortunately both the government and the majority of the opposition were doing lip service to the protection of democracy and infect they did not want any change for the time being. As renowned scholar Samina Yasmeen commented on the situation:

> The changed circumstances are hardly conducive to repealing the 8th amendment. With Farooq Laghari as President, Bhutto has nothing to gain from lessening the scope of Presidential powers set forth in the amendment. She can [even] gain from the utilization of these powers. Nor does the opposition now benefit from any such change, as that could strengthen Bhutto's control. Some members are also reluctant to support repeal in the hope that centre-provincial relations may worsen once again, forcing the new President either to ask Bhutto to seek a vote of confidence or resign as Prime Minister.[9]

Earlier on, a joint meeting of JUP *Majlis-i-Shure and Amla* was held at Lahore[10] to discuss the reasons of the defeat of the party in the last general elections. The meeting, presided over by

Maulana Noorani, not only discussed in detail the reasons of the JUP defeat but also critically annualized the role of JUI (the other component party of the IJM) and strongly criticized the performance of the IJM committee appointed for negotiations with other political parties before the elections. Maulana Saeed Asad presented the report of the committee (formed earlier on) for the unification of both the groups of JUP (Noorani and Niazi). According to Maulana Saeed

Asad Maulana Niazi clearly rejected his party's unification with JUP (Noorani), however Maulana Asad appealed the meeting that Maulana Niazi should again be approached in this regard. The meeting proposed that the central and provincial bodies of the party should be dissolved and new conveners should be nominated for the new elections, but at the same time the

JUP *Shura and Amla* did not permit Maulana Noorani to resign. Similarly when party's General

Secretary Gen (R) Azhar put his resignation in the meeting it was not accepted by the *Shura and Amla*.[11]

In the end, the meeting in its resolutions accepted the election results and declared that the stability and the proper functioning of the democratic institutions were in the greater interest of the country and the nation. It hoped that the government would work for the betterment of the political and economic conditions of the country, and considered the main cause of all the ills of the country was not following Islam properly, similarly it highlighted the 'hypocritical' politics practiced by majority of the politicians which was adding to the present degradation of the country. The demanded the government to repeal all laws which were against the Quran and *Sunnat* and ban all un-Islamic functions and cancel all un-Islamic orders. It also demanded the cancellation of all undemocratic and non-Parliamentary sections of the 8th Amendment and announced its full support to the government for the enforcement of the *Nizam-i-Mustafa* in the country.[12]

As discussed earlier that the 1993 elections proved to be very disappointing for, both the groups (Noorani and Niazi) of, JUP. They failed to win a single seat either in the National Assembly or in the four Provincial Assemblies of the country. Even after the MQM's boycott (the polls of the

National Assembly) Maulana Noorani and his party did not perform well in the urban areas of Sindh once considered to be a stronghold of JUP. Same was the case with JUP (Niazi) which despite its election alliance with PML (N) performed poorly in the general

elections.

Due to the poor performance (of both the groups) of JUP, demand and need for the unification and re-organization (of both the groups) gain strength from different quarters of the *Ahl-i-Sunnat Wa Jamaat*.[13]

In the wake of the post-cold war era, Pakistan's foreign policy remained in dire straits.

"Policy makers displayed a lack of understanding of the changed world order and seemed to have no coherent strategy to tackle the critical foreign policy issues in the meaningful way".[14] Pakistan's relations with the United States came under heavy strain when the latter decided in

January 1993 to place Pakistan on the watch list of potential terrorist states for six months. Washington had a number of concerns, but most important were Kashmir and nuclear program.

As far as the Kashmir issue was concerned USA alleged Pakistan for its support to "terrorist movement" in Kashmir. However Pakistan's nuclear program became the real issue, which the US wanted to be rolled back.

Pakistan tried to clear its position on Kashmir and declared that the resistance movement in Kashmir was purely indigenous and that Pakistan was only giving moral and diplomatic support to Kashmir, which it considered a disputed territory and not part of India.

Though the previous government of Nawaz Sharif took a step to assuage United State's concerns on the nuclear issue by accepting IAEA safeguards for its nuclear plant at Chasma but the most shocking announcement for the general public was made by Moin Qureshi's caretaker government that Pakistan had "stopped and capped its nuclear program".[15] The second Benazir government also remained under immense pressure of Washington on the above mentioned

issues.

Maulana Noorani who criticized the previous government on their pro-American policies demanded the PPP government to draw its foreign policy in the interest of the country and to take forceful stand on the Kashmir and the nuclear issues.[16]

> At the popular level, the United States was perceived to be anti-Islamic and unfriendly state. American actions against Libya and Iraq and its indifference to the sufferings of
>
> Bosnian, Palestinian and Kashmiri Muslims were seen as demonstrations of this anti-
>
> Islam orientation….[17]

Maulana Noorani highlighted and strengthened general perception regarding the America's anti-Islamic character[18] in his address to a large student gathering at the Muslim University Nairobi. He declared that the USA under its so called 'New World Order' wanted to take control of the resources of the Muslim world by disuniting Muslims. Similarly he pointed out the silence of the international human rights organizations on the innocent killings of the Muslims in Kashmir, Palestine and Bosnia. He declared Islam as a true protector of human rights and advised the Muslims to shed their differences and be united against the non-Muslim forces.[19]

Kashmir issue[20] which had risen to the forefront of the India-Pakistan agenda with the eruption of a mass movement for self-determination[21] and independence in the Indian part of Kashmir in 1990. “reached high point in mid October 1993 when some Kashmiri freedom fighters apparently took over the sacred shrine of Hazrat Bal in Srinagar, which contained the holy hair of the Prophet Mohammad. The Indian army surrounded the shrine alleging that Pakistani terrorists were holed up inside, thus internationalizing the Kashmir issue and escalating the level of tension between India and Pakistan.”[22] Maulana Noorani declared the Indian army’s attack on Hazrat Bal a challenge to the Muslims and demanded the (economic) boycott of India.[23]

Despite Indian Army gross human rights violations to crush the Kashmiri resistance “Pakistan failed to move resolutions on Kashmir in the UN Human Rights Commission (March 1994) and UN General Assembly (November 1994) … (only) the formation of a contact group on Kashmir in the organization of the Islamic Conference and the passing of a resolution at the OIC Conference were termed by (PPP) leaders as successes”.[24] Similarly in January, the seventh round of bilateral (Foreign Secretary level) talks between India and Pakistan in Islamabad failed to yield any results, as both countries remained in dead locked over Kashmir.[25]

Earlier on, while commenting on alarming human rights situation in Indian Kashmir Maulana Noorani considered the (secretary level) talks between India and Pakistan merely a tactic by India to gain more time to crush the ongoing Kashmiri struggle for their right of self determination.[26]

As on the one hand Pakistan’s foreign policy was undergoing a painful readjustment to the post cold-war era and the government decision-makers had been learning tough lessons of the ‘New World Order’[27] on the other hand “an intense political confrontation between the PPP government led by Benazir Bhutto and the opposition Pakistan Muslim League (N) led by Nawaz Sharif dominated Pakistani politics… neither the government nor the PML (N) showed any tolerance toward each other, with the former pursuing vengeful policies while the later indulged in ceaseless agitation”.[28]

The Mehran Bank scandal proved to be a great blow not only for the government but also for the opposition as it exposed the widespread financial corruption pervading the political system. It was reported in the press that five billion rupees had been siphoned off from both Habib Bank and Mehran Bank and given to leading politicians from both the PML(N) and the PPP, former army chief General Aslam Baig and a number of provincial politicians, even the sitting President Farooq Laghari was also alleged to be involved in the scandal. Similarly the replacement of the PML (N) –ANP coalition government in the North West Frontier Province (NWFP) by the PPP government caused fuel to fire to the confrontational politics in the country. The opposition launched a “save NWFP campaign” against the installation of a PPP government in the NWFP after a brief governor rule of two months. Aftab Sherpao a provincial leader of the PPP was alleged of buying (with the help of Mehran Bank money) the loyalties of two PML (N) and some alienated independent members of the Provincial Assembly. The opposition boycotted the National Assembly session while on the other hand government arrested Brig. (R) Imtiaz, former intelligence Bureau chief during the Nawaz Sharif regime for conspiring in toppling of the earlier PPP government. The government not only harassed Nawaz Sharif’s family through different methods

but also appointed judges to the High Courts and the Supreme Court, most of whom were PPP activities thus, seriously compromising the neutrality of the judiciary.

By September the opposition's agitational politics reached its climax when it launched a 'train march' from Karachi to Peshawar and also called for a general strike on 20th September and a 'wheel jam' strike on 11th October. On the other hand Asif Ali Zardari (Prime Minister Benazir Bhutto's husband) declared that he wanted the opposition leaders to languish in jails for at least two and half years, exactly the time he himself had spent in jail during the PML (N) tenure.[29]

Earlier on, it was Maulana Noorani who advised the nation not to vote for PPP or the PML(N) as both the parties not only failed to deliver in the past but also exploited the interest of the people of Pakistan. He dubbed both the PPP and PML (N) as the two sides of the same useless coin. He was of the view that the politics of money (like Mehran Bank Scandal) had deprived the nation from electing the real neat and clean (honest) leadership.[30] It was due to the confrontational politics of the PPP and PML (N) that "the political system suffered from intuitional decay, widespread financial corruption and spiral ethnic, sectarian and religious violence leading to near anarchic conditions in certain parts of the country.[31] As a leading scholar

(further supported Maulana Noorani's point of view) observed "there is now little to differentiate the PPP and the PML (N) [Pakistan Muslim League-Nawaz] as they share virtually the same manifestos, many of the same members of the National Assembly, and the same sole objective of winning and holding onto power at all costs".[32] Similarly according to Robert Laporte Jr. "the principal difference between PPP and Muslim League is in the amount of alcohol they consume".[33] The sectarian violence between the *Shia* and the *Sunnis* which began since the early 1980's had risen phenomenally during the 1990's. It extended beyond sporadic clashes over doctrinal issues between the two religious communities which undermined development of political unity and give rise to militant organizations to champion their cause.

The principal protagonists of the conflict were the *Deobandi (Sunni) Sipah-i-Sahaba Pakistan* (SSP) established in 1985 and *Shia* organization *Tehrik-i-Jafria Pakistan* (TJP) formed in 1979 and its militant off-shoot *Sipah-i-Mohammad* (SM) formed in 1991. They waged a brutal and bloody campaign to safeguard the interest of their respective communities. Assassinations, attack on mosques and bomb blast claimed 581 lives and over 1, 600 injured between 1990 and 1997.[34]

The origins of the sectarian conflict in Pakistan can be traced back to intensification of regional politics after the Iranian revolution of 1979, the start of the Afghan war in 1980, the spill over-effects of the Iran- Iraq war and the Zia government's Islamizations drive.

The Iranian revolution set in motion, first, a confrontation between the Pakistani government and the Shia population and latter a competition for influence and power in Pakistan between Saudi Arabia and Iraq on the one hand and Iran and on the other hand in a way an extension of the Persian conflict into Pakistan. Both these struggles for power helped in mobilizing and radicalizing sectarian identities in the country.

The Iranian revolution had no doubt great impact on Shia-Sunni conflict in Pakistan. Iranians who were not only eager to export their revolution to Pakistan but also their leadership was unhappy with Gen. Zia for his support in 1977-78 to the Shah's regime and after the Soviet invasion of Afghanistan in 1980 his alliance with the United States, with whom Iran was increasingly at loggerheads.

Similarly with the revival of Islamic laws by Zia ul Haq, the Shia religious leaders protested the introduction of the compulsory collection of Zakat (*Alms Tax*) and Ushar (title levied for public

assistance) and the enforcement of Islamic penal laws, maintaining that these laws were based on Sunni jurisprudence and were in conflict with their own *Ja'fariyah fiqh* (Jurisprudence)

In 1979, thousands of *Shia* militants besieged the federal government offices in order to force the government to amend those laws they considered unacceptable they also succeeded in taking some government officials as hostages and finally the military government accepted the demands of the militants.[35]

The success in obtaining their demands encouraged the *Shia* militants to stage another showdown, with the government in February 1983, in Karachi. The cause of conflict this time, a plot of land in the Sunni majority neighborhood of North Karachi on which the *Shia* community wanted to build their *Imam Bargah*. They believed that the government would withdraw its permission to build the *Imam Bargah* as a result of *Sunni* pressure and decided to take what they described as "direct action".[36]

Thousands of Shia youth led by the militant Islamiya Students Federation (ISF), a pro-Iranian group staged a sit-in on one of the main highways (M. A Jinnah Road from Purani Numaish to 7th Day Hospital) to Karachi, bringing traffic to a virtual halt, and paralyzed the city for several days.[37]

The government again accepted the *Shia* demands, but on the other hand Sunni religious leaders strongly showed their resentment to the government concessions made to the *Shia* community and launched a counter-movement. The entire months of February and March 1983 saw continues *Shia-Sunni* riots with considerable loss of life and property on both sides.

The government, however, was well aware that it stood to gain politically from the riots.

When attacked by *Shia* the government expected the *Sunis* to rally around Gen. Zia in a show of Sunni solidarity. The sectarian split also ensured that the *Sunni* and *Shia* religious groups would not unite in the future in any mass political movement directed against the government.

Sectarianism thus became a device for keeping the opposition and nation divided.[38] Furthermore Zia regime began its efforts to contain Shia assertiveness by strengthening Sunnism in areas where the Shia threat was perceived to be greatest. Throughout the 1980's the military government helped organize militant Sunni groups in the country.[39] "The mounting costs of sectarianism presented the state with serious problems once 'the snake began to devour the snake-charmer'... (and) the state leaders did not find it easy to reverse the trend."[40]

Saudi Arabia which was wary of Iran's military and ideological threat[41] also complimented the ongoing Pakistani government's efforts to contain *Shia* resurgence in the country. She began to finance *Deobandi-Wahabi*[42] seminaries and their militant organizations, the primary beneficiary of which was the SSP. The onset of the Afghan war further deepened Saudi Arabia's commitment to its *Deobandi-Wahabi* clients in Pakistan. Infect, the funding that Saudi Arabia provided, Afghan fighters also to subsidize militant *Deobandi-Wahabi* organizations in Pakistan.

The Saudi involvement in-effect transplanted the Iran-Iraq war[43] into Pakistan as "the SSP and its allies and the TJP and its off-shoots began to do biding of their foreign patrons. The flow of funds from the Persian Gulf continued to radicalize the *Sunni* (*Deobandi-Wahabi*) groups as they sought to outdo one another in their use of vitriol and violence in order to get a large share of the funding, training sectarian posturing into a form of rent-seeking".[44]

By openly implicating Iran in attack on *Deobandi-Wahabi* targets and retaliating against its representatives and properties in Pakistan, *Deobandi-Wahabi* militant groups had sought to complicate relations between Tehran and Islamabad.[45]

Similarly the Afghan civil war meanwhile, helped aggravate the situation on the one hand Saudi Arabia's role boosted *Deobandi-Wahabi* militancy in Pakistan-often in conjunction with the elements of Pakistan's military on the other. The decades-long war flooded Pakistan with weapons of all kind and militancy in its political culture especially among the sectarian militant groups. The 'Kalashnikov culture' made sectarian conflicts bloodier and transformed militant organizations into paramilitary groups. In addition these groups had the tacit support of some of the national parties (JI, JUI, PPP, PML-N) that had routinely used their influence to protect sectarian activities from prosecution.[46]

The first three general elections after the return of democracy to Pakistan in 1988, 1990 and 1993 failed to produce viable Parliamentary majorities and also gave the opposition party direct or indirect control of some provinces, sectarian parties and their allies exploited these circumstances to pursue their activities. They also ran their own candidates and also won seats of National and Provincial Assemblies, because of which members of the sectarian parties could exert significant influence. For instance the PPP had to give the SSP a provincial ministerial position in the Punjab provincial cabinet between 1993 and 1996 in order to get the party's support and deny it to the PML. The ruling parties turned a blind eye to sectarian activities and in essence gave the activities immunity from prosecution from criminal and violent acts. The SSP member of Punjab's cabinet between 1993 and 1996 had eight cases of murder registered against him.

During the second term of office (1993-96) Benazir Bhutto's government began more

directly to use sectarianism to the advantage of her own government. At the time her party (PPP) still enjoyed strong support among *Shias* and IJP was tacitly allied a deal with party. She also made a deal with JUI which had close organizational and political ties with SSP, its (JUI) prominence in government therefore translated into protection for SSP activists[47] which resulted in alienation of PPP's *Shia* supporter (IJP.) Bhutto turned to the more militant *Sipah-iMohammad* (SM), thus forming a tacit alliance with the most sectarian elements among the *Shias*.

"By 1995 the PPP government found itself in the position of actively supporting the most militant sectarian forces on both sides: The SSP through the JUI and SM in order to weaken TJP and maintain a foothold in Shi'a politics".[48]

However when the two Christians (who were already tried and convicted of blasphemy by a lower court in Punjab) were released by the Lahore High Court after reversing the decision on 23rd February and subsequently the government announcement to make changes in the blasphemy law, a one day strike was organized in May by both Sunni and *Shia* religious parties and groups.[49] Maulana Noorani appealed the nation to get united against the government for its support to the convicted in the blasphemy case. He was of the view that the government was doing all this to please USA. He said that they were mistaken as they would not be saved from Divine punishment. [50]

The JUP *Shura* and *Aamla* discussed in detail the law and order situation in Karachi and the alarming sectarian violence in the country. Detailed reports on the Karachi's law and order situation, sectarian clashes among SSP, SM and IJP and the activities of (different sectarian groups) *Dawa-waIrshad, Tehrik-i-Nifaz-i-Shariat, Hizbul Ansar*, SM, IJP and SSP were presented in the meeting. It also discussed the possible line of action of the party towards government, JUP's role in the on-going *Tehrik-i-Namus-i-Risalat* and the upcoming meeting of the religious parties and groups to be held on 24th March at Islamabad.[51]

At the end, the meeting showed its dissatisfaction on the overall performance of the government and demanded its resignation. It also decided to continue its support to the *Tehrik-i-*

Namus-i-Risalat from the platform of *Jamaat-i-Ahl-i-Sunnat* to show and keep unity of the *Ahl-iSunnat-Wa-Jammat* on the issue (as Maulana Niazi and his party were also supporting JAS). Similarly the meeting demanded the Punjab government to left its undue ban on the recitation of

Darood-o-Salam and stop its policy of public harassment against the *Ulama-i-Ahl-i-Sunnat* in the province.[52] Later on, a delegation of the JUP under the leadership of Maulana Noorani met the Chief Minster of Punjab Mian Manzoor Watoo and discussed the above mentioned issue. The Chief Minister not only passed the orders of lifting ban on the use of loud-speakers for the recitation of *Darood-o-Salam* but also ordered the immediate release of some *Ahl-i-Sunnat Ulama*. He also promised to hold inquiry of these cases and assured the delegation that no fake case would be registered against any organization in future.[53]

To end the sectarian conflict in the country, a meeting of the heads of the religious parties was held at Islamabad.[54] The meeting was presided over by Maulana Shah Ahmed Noorani which decided to form an organization by the name of Mili Yakjahti Council (MYC) to contain sectarian conflict in the country. Maulana Noorani was unanimously elected the President of the council and Maulana Sami Ul Haq as General Secretary.

The meeting decided to form a committee to draw a *Zabta-i-Ikhlaq* (code of conduct) to end sectarianism and promote religious harmony among different sects.[55] It was decided unanimously in the meeting that the constituting parties of the MYC would not have any link with the sectarian groups possessing illegal weapons and an appeal was made to such groups to hand over their illegal weapons at police stations. The meeting also decided that the leaders and workers of (constituting parties) of the MYC would restrain from issuing any controversial statements so that the aim of the Council to create religious harmony and to end sectarianism should be achieved. The MYC demanded the government to release all *Ulama* who were detained without any charges.[56] At the end of the meeting talking to news persons Maulana Noorani said that the MYC would try to end the incidents of terrorism and violence in the name of Islam and sectarianism. He was of the view that some foreign elements were involved in these incidents as they wanted to weaken the foundation of the country on the basis of sectarianism, provincialism and ethnicity.[57]

The establishment of the MYC was a great success as it resulted in reducing the sectarian violence in country to a considerable extent. The national press appreciated the formation and efforts of the Council in creating religious harmony among the different sects. The unanimous selection of Maulana Noorani as the head of the council was a proof of his leadership qualities and respect he enjoyed in the religious circles.[58]

The second meeting of the MYC was held in April at Karachi. All the leaders of the Council signed the first section of the MYC *Zabita-i-Ikhlaq*.[59] The Karachi meeting of the MYC which was presided over by Maulana Noorani passed a resolution declaring the Prime Minister Benazir

Bhutto's call for help to America and western countries, to curb the religious (sectarian) parties, insulting and provoking. The resolution also made it clear that in case of nuclear role back by the government the religious parties and groups would throw the government out of power.[60] In fact behind the strong anti government sentiment of the MYC was the believe of the religious parties "that the (Sectarian) violence was damaging their cause and would eventually provide the government and the military with the excuse they needed to crack down on all Islamist

(religious) parties".[61]

Gradually the MYC's anti-government stand gained momentum as in the third meeting of the Council held on 23rd April at Lahore (presided over by Maulana Noorani) decided to hold a nationwide 'wheel jam' strike on 27th May against government plans to make changes in the blasphemy law. The council also decided to observe on 26th May solidarity and unity with the Muslims of Iraq, Iran, Sudan, Philippine, Bosnia, Chechnya, Kashmir and Palestine.[62]

After gaining successes in reducing the sectarian violence in the country to a considerable extent, the MYC emerged as the sole representative of the religious elements and a strong critic of the government polices. It also organized its meetings in the different cities of the country.[63]

The MYC organized its first public meeting on 22 December 1995 at Rawalpindi. It was a great show of unity and strength by the constituting parties of the Council. Maulana Noorani in his address to the meeting declared Pakistan as the frontline state of Islam. He strongly criticized the PPP government by dubbing it pro-American and responsible for price hike, high rate of unemployment, corruption, mismanagement and promotion of vulgarity in the country. He also criticized the government policies regarding the nuclear issue and Kashmir and its desire to open trade with India. Maulana Noorani urged the people to prepare themselves for the enforcement of the Islamic system in the country.[64]

> The council sought to defuse sectarian tensions by focusing attention on what all Islamist parties shared the demand for an Islamic state. (Benazir) Bhutto viewed such a consensus as dangerous to her interests. If Islamist parties were able to cobble together a united front that would focus its energies on the demand for an Islamic state, they could pose a threat to her government and lay the grounds for a strong Islamic electoral alliance in the next elections. Bhutto concluded that it would be better for Islamist parties and their constituencies to fight each other and spend their energies in sectarian conflict rather than challenge the existing political order. The PPP government therefore actively worked to undermine the council.[65]

On the other hand the MYC leadership considered the formation of Islamic Yakjahti Council,[66] murder attack on Maulana Ilyas Qadri[67] the head of the Dawat-i-Islami[68] the resumption of the SSP and the SM violent attacks against each other and the JUI distaning itself from the council[69] as acts of the PPP government to weaker the Council.[70] The Council called for a nationwide 'wheel jam' strike against the government policies on 30th December. The large scale anti-government demonstrations and rallies were organized throughout the country on the day of strike by the constituting parties of the MYC. The government on the other hand took tough measures to check these protests. Police not only batten charged and used tear gas to disperse the demonstrators but also arrested a large numbers of leaders and workers of the Council. The MYC general strike of the 30th December was less successful as compared to its

27th May strike. The government used all its means to fail it, while the opposition leaders in the National Assembly and the head of the PML (N) Mian Nawaz Sharif though announced his party's support to the MYC call on 28th December but he and his party did not actively

participate in the strike to make it a success.[71]

The MYC continued its anti-government protests despite the PPP government efforts to undermine the Council. On 19 March 1996 it organized a large scale protest demonstration in front of the Parliament House and the Pakistan Television (PTV) head quarters at Islamabad.[72] The protest was organized against the government proposed electoral reforms[73] and the promotion of vulgarity by the government on the state run PTV. Similar protests were arranged by the Council at different cities of the country. The government used police force to disperse these anti-government protests in certain areas. As a result of police firing, tear gas shelling and batten charge, dozens of protestors were injured while at least 100 *Ulama* and workers were arrested by government security forces.[74]

Similarly in the meeting of heads of different constituting parties of the MYC held on 21st

May at Lahore it was decided to oppose the government move to 'reform' and increase its control over Madaris (religious institutions).

Maulana Noorani in his Presidential address highlighted that the government anti- Madaris policy and urged the participants to draw a united line of action in this regard. The meeting also discussed the Afghanistan issue and the on-going civil war among the different groups. The meeting formed a committee consisting of Maulana Noorani, Maulana Fazl ur Rehman, Qazi

Hussain Ahmed, Maulana Sami Ul Haq, Prof. Sajjid Mir, Allama Sajid Naqvi, Maulana Zia Ul Qasmi and Sahibzada Arif Suleman Ropari to contact different groups involved in the Afghan civil war and persuade them to resolve the conflict peacefully.[75] Maulana Noorani not only led the MYC successfully[76] but also paid his full attention to the re-organization of the JUP keeping in view its poor performance in the last general elections. The party started a campaign to enroll new members to its fold throughout the country.[77]

As discussed earlier that the JUP announced its full support to the PPP-government (for the enforcement of the Islamic system in the country) on its formation but due to the government controversial policies, JUP opposed it.[78]

To re-organize and infuse new spirit in the party a joint meeting of the JUP *Majlis-i-Aamla* and *Shura* was held at *Jamiat Hadith-ul-Quran* Multan in January 1996. Maulana Noorani presided over the meeting which decided to dissolve all the provincial bodies of the party and to hold new elections at provincial level till 15 March. It was also decided to organized a *Nizam-iMustafa* conference at Multan on 27, 28th March to celebrate the Golden Jubilee of the party.

Maulana Noorani who claimed to believe in democracy rejected the proposed electoral formula of the PPP-government for changes in the election procedures.[79] He strongly criticized the government proposals to grant dual right to vote to minorities and removal of the restriction of showing the national identity card to cast one's vote. He was of the view that the government in its so-called effort to protect human rights was distorting the ideology of Pakistan.[80] Maulana Noorani undertook an extensive tour of the Punjab province from 1 to 16 April 1996. He addressed Public and party meetings and press conferences at the different cities and towns of the province. In his addresses he not only criticized the government's proposed electoral reforms but also its pro-American and weak policy on the Kashmir. Maulana Noorani also alleged the government for promoting vulgarity in the country.[81]

As per schedule the JUP organized a *Nizam-i-Mustafa* Conference on 27, 28th March at Multan. The conference was attended by a large number of workers and leaders of the party. Maulana

Noorani in his address to the last session of the conference criticized the PPP government as anti-Islamic and an American agent. He was of the view that the government was promoting vulgarity in the country and wanted to make Pakistan a secular state. He highlighted the Benazir Bhutto government's poor performance in every field of life particularly in failing to announce the labor policy. Maulana Noorani expressed his sorrow for the Sunni voters who voted for the PPP instead of *Nizam-i-Mustafa* (JUP). He declared it utmost important to remove the PPP-government at the earliest.[82]

At the end, the conference passed several resolutions declaring the PPP-government responsible for the failure to run the country and thus not only losing its public mandate but also the constitutional and legal right to remain in power. It was also made clear that to abide by the present Benazir Bhutto's government was against *Sharia* (Islamic law) so people must struggle for the enforcement of *Nizam-i-Mustafa* in the country. Similarly the conference rejected the government proposed electoral reforms and demanded the introduction of the proportional representation system. It also condemned the economic policy of the government and declared to do the constitutional and legal action in case of the imposition of new taxes in the next budget.

The conference not only criticized the government's foreign policy but also condemned the Indian army's violation of human rights in the state of Jammu and Kashmir and the American anti-Muslim policy in different parts of the world. The conference demanded the government to do nuclear test in response to the Indian missile installment on the Pakistani borders. The conference also passed separate resolutions demanding the cancellation of ban on the recitation of *Darood-o-Salam* (on loud speakers), end of quota system in Karachi, announcement of local body elections and the recruitment of the kin after the death of a government servant.[83]

The Multan conference proved to be the start of JUP's anti-government struggle. Maulana Noorani in his addresses to the public meetings at the different part of the country intensified his demand of the removal of the PPP government and holding of mid-term elections in the country.[84] Similarly in a meeting between Maulana Noorani and Nawaz Sharif both the leaders decided to do joint struggle for the creation of a non-partisan caretaker government and holding of the mid-term elections (in 1996) in the country.[85]

On the other hand the PPP government was using patronage in its various forms to secure allegiance by rewarding the party faithful.[86] Besides "to ensure that the judicial decisions do not disturb the present politics in Pakistan, the government replaced judges whose opinions might cause some political 'heartburn'…"[87] The PPP government not only made political appointment of twenty four judges in the Lahore High Court but also made adhoc appointment of judges in four provincial High Courts.[88]

The Supreme Court of Pakistan granted permission to appeal against the political appointment of the judges to the Lahore High Court so to consider the conditionality of such appointments. After considerable arguments spread over several months, Supreme Court, in the appointment of judges, handed down a detailed judgment that curtailed the government's power to appoint or transfer judges unilaterally and required that senior judges be consulted.

The conflict between the Benazir Bhutto's government and judiciary increased on 13th June 1996 when the Chief Justice of the Supreme Court, joined by the Chief Justices of the four Provincial High Courts ordered the sacking of 24 judges, all of whom appointed by the Bhutto government. The government however refused to carry out this order and Benazir Bhutto accused the political opposition to use judiciary to topple her government. In response, Chief Justice of the

Supreme Court Sajjad Ali Shah issued a public statement accusing the government of ridiculing the judiciary, defying its judgments, and unjustly accusing it of aligning itself with opposition to the government.[89]

On the other hand, the administrative and economic performance of the Benazir Bhutto regime remained poor, the inefficiency and mismanagement of government with the inflation rate of over 13%, price hikes for consumer items, and continued stories of corruption were breeding discontent among various segment of the society and provided the opposition parties with the opportunity to intensify their demands for the government removal.[90]

The anual budget presented by the government on 13 June 1996 imposed new taxes, including a general sales tax. To discuss it JUP convened a national conference at Islamabad on 16 June.[91] Maulana Noorani presided over the conference which was attended by all the major political parties and various professional and social organizations of the country.[92]
The participants of the conference strongly criticized the budget[93] in their addresses. At the end the conference unanimously rejected the budget and demand that a new budget be presented in which the levies imposed in the budget be withdrawn and replaced with an agriculture tax on land owners.[94]
The JUP National Budget Conference proved to be a step forward to the opposition's antigovernment struggle and on 23rd June a partially successful nationwide strike was launched in protest against the budget as well as corruption within the government.[95]

The next day 14 parties including JUP held a meeting at Islamabad the meeting decided to launch a joint struggle to get rid of the PPP government.[96] In addition the killing of Mir Murtaza Bhutto (Brother of Benazir Bhutto) by police on 20 September 1996 outside his residence in Karachi, the continued domestic violence particularly in Karachi and the ongoing confrontation between the President Farooq Laghari and the Prime Minister Benazir Bhutto caused considerable damage to the PPP-government.[97] "Rather than moving a vote of no-confidence in Parliament, the opposition parties urged the President to use his constitutional powers again to dismiss the prime minister…"[98] Similarly another development was the President Laghari's overturn towards the opposition. He met several opposition leaders separately including Maulana Noorani who demanded the removal of the government because it had forfeited its mandate and to order fresh elections under a neutral caretaker government.[99]

The JUP under the leadership of Maulana Noorani not only confine itself in organizing and attending opposition parties meetings and conferences but also actively participated in opposition's public demonstrations to gather public support to remove the government on 7th October, Maulana Noorani led anti-government rally along with other leaders of opposition parties at Lahore.[100] Similarly, when JI launched a protest march on 27, 28th October from
Rawalpindi to Islamabad, against the mini budget announced by the government on 22nd

October.[101]

Maulana Noorani along with Qazi Hussain Ahmed (President of JI) led the demonstration – an attempt to force Ms. Bhutto to resign.[102] Thousand of police and Parliamentary troops repeatedly baton-charged the demonstrators and fired hundreds of tear gas shells to prevent the crowds from surroundings the National Assembly building (Islamabad). The capital city was cut off from the rest of the country for three days as police and paramilitary troops blocked all entrances to the city and closed roads with container trucks, border wire and concrete blocks.

The demonstration proved to be the most violent protest against the Benazir Bhutto's regime during her three years rule. The day before the rally all major cities were paralyzed by a strike organized by an alliance of fourteen opposition parties including JUP and Chamber of Commerce and Industry.[103]

Meanwhile the event that many expected to occur earlier took place in the early hours of 5th November, when President Farooq Ahmed Khan Laghari invoked Article 58(B)(2) of the constitution and dissolved the Bhutto government. The order of dissolution of National Assembly was based on the following grounds:

i. Thousands of persons in Karachi were killed in police custody and false police encounters in violation of their rights to life guaranteed under Article 9 of the constitution.

ii. The Federal government and the Provincial governments of Sindh, Punjab and NWFP (where PPP was in power) failed to maintain law and order and did nothing to stop the crime of extra judicial killings. The law and order situation further deteriorated because of widespread interference by the members of the government in the appointment, transfer and posting of officers and staff of the law enforcing agencies.

iii. Prime Minister Bhutto falsely insinuated that the Presidency and other agencies of state were involved in conspiracy that resulted in the murder of Mr. Murtaza Bhutto.

iv. Prime Minister ridiculed judgment of the Supreme Court in the Judges' case and deliberately delayed its implementation. Therefore, she under-minded the independence of the judiciary.

v. There was sustained assault on the judicial organ of the statement by proposing a law under which a judge could be stated by proposing a law under which a judge could be removed through a vote of no confidence.

vi. The judiciary was not being fully separated from the executive in violation of the provinces of Article 175(3).

vii. Prime Minister and her government deliberately violated the fundamental right of privacy under Article 14 of the constitution by including illegal phone tapping and eavesdropping techniques on massive scale.

viii. Corruption, nepotism and violation of rules in the administration of the affairs of the government and its various bodies, authorities and corporations had become so extensive and widespread that the orderly functioning of government in accordance with provisions of the Constitutions and the law had become impossible.

ix. The Constitutional requirement that the cabinet together with Minister of State should be collectively responsible to the National assembly had been violated. [104]

Shortly after issuing the dissolution order, the President administered the oath of office to Meraj Khalid as caretaker Prime Minister. [105] This was the fourth dismissal of an elected Prime Minister since 1988, and Laghari was the third President of Pakistan to exercise this constitutional power. According to the constitution, elections must be held 90 days since the dismissal of the government, and the President promised elections by 3 February 1997.[106] The caretaker government announced the following procedure for the upcoming elections:

i. Every candidate had to declare in his nomination papers that no loan obtained by him from any bank or other financial institutions in his own name or in the name of his spouse, dependent children, or dependant parent, remained unpaid for more than one year from the due date or had been written off. He had also to declare that he and his relatives stated above were not in default for over six months in payment of taxes. Similarly, he had to declare that he and his relatives were not in default of any government dues or utilities for over six months.
ii. A candidate was also required to make a statement of assets and liabilities of his own, his spouse, and dependants. He was also required making statement specifying income tax and wealth tax during the three assessment years. iii. A candidate could however make payment of any loan, tax, government dues, or utilities before the rejection of his nomination papers.
iv. The election expenses were restricted to one million rupees for election to a seat in the National Assembly and six hundred thousand rupees to that of a Provincial Assembly. The return of election expenses had to be filed before notification of the election result and such returns would remain subject to inspection by any member of the public.
v. The election expenses by a political party for a national election campaign were restricted to thirty million rupees. The political parties were required to submit the return of their expenses within thirty days of poll.
vi. Affixation of hoardings, posters or banners of any size or wall chalking was completely prohibited. There was also a ban on the hoisting of party flags on any public property or public places.[107]

On 10th November, Prime Minister Meraj Khalid announced that an anti-corruption committee to investigate politicians would be appointed and on 14th November the interim government issued an anticorruption order that applied to politicians and top officials. It provided for a seven year ban on holding public office, a maximum prison sentence of seven years and an unspecified fine if convicted.[108]

Benazir Bhutto's efforts to reverse the dissolution order in the courts was unsuccessful as the Supreme Court by a majority of six to one upheld the order of the President dissolving the National Assembly and dismissing her government.[109]

While President Laghari under the pressure of incessant and persistent attacks from Benazir made a secret pact with Nawaz hoping that the latter would protect him from Benazir. He made significant concessions to Nawaz enabling him to contest the elections and to succeed with the co-operation of the establishment.

Earlier on, the JUP started its election campaign on 21 November 1996 by holding a Nizami-Mustafa Conference at Mochi Darwaza Lahore. The meeting was attended by a large numbers of party leaders and workers.[110] Maulana Noorani in his Presidential address supported the President decision of 5th November. He not only criticized the Benazir government but also the interim government for its un-Islamic outlook. Maulana Noorani declared the accountability ordinance incomplete and demanded an across the board accountability.[111]

At the end the conference passed several resolutions appreciating the President decision of the dissolution of the National Assembly and the removal of the PPP government; however it showed dissatisfaction on the appointment of several members of interim cabinet and demanded the President to follow section 62 and 63 of the constitution in this regard. Similarly the conference demanded the removal of the present Election Commission, because it was considered to be the legacy of the Benazir government and the appointment of new dignified and fully authorized (independent) Election Commission for the holding of free and fair elections. It was also demanded that the elections must be held on the basis of proportional electoral system.

The Conference also criticized the accountability ordinance and demanded accountability must be done across the board. It was also demanded that the budget passed on 13th June and mini budget passed on 22nd October must be taken back and government must take measures to control price hike for consumer items. The meeting also demanded the removal of obscenity and vulgarity from the electronic media.[112]
Maulana Noorani also met the President and the Prime Minister and conveyed his party's concerns mentioned above. On seeing the failure of the President and the interim government to do any positive step in this regard Maulana Noorani announced his party's boycott of the

election.[113]

The election to the National and Provincial assemblies was held on 6 February 1996.This was the fifth general election in 12 years and it did not evoke much popular enthusiasm. Fewer than 41 % of the eligible voters cast their votes in the Punjab, 31.21% in Sindh, 29.67% in the North West Frontier Province (NWFP) and 22.84% in Baluchistan. The PML (N) headed by

Nawaz Sharif won an outstanding victory. It took nearly 2/3 of the seats in the National Assembly, three forth of the seats in the Punjab Assembly, and a plurality in NWFP. It won 15 out of 109 seats in Sindh and 6out of 40 in Baluchistan. It formed governments at the centre and in the Punjab, Joined governing coalitions in Sindh and NWFP, and in November five of its members became ministers in the government of Baluchistan.[114]

Maulana Noorani declared his party policy to support good works of the government and to oppose its bad doings.[115] He was of the view that as the Nawaz Sharif government had got a 2/3 majority in the National Assembly it should be given full chance to implement its policies.

After assuming office, Prime Minister Nawaz Sharif rapidly embarked on a process consolidating power. First, he moved a constitutional amendment to repeal Article 58(2)(B) of the constitution and thus removed the President's authority to dismiss the government. There was widespread

political consensus on overturning those provisions, not least because, since 1988, it had been used third time by two different Presidents against both Sharif and his main rival, Benazir. Amid applause and virtually without debate, both houses of Parliament adopted the new amendment – the Thirteen and the President signed it.[116] Only months later, the Parliament adopted, the Fourteen Amendment to the constitution, law prohibiting members of the National

Assembly (MNAs) from violating party discipline.[117]

Earlier on, when the Prime Minister Nawaz Sharif in his address to the nation announced the change in the weekly public holiday from Friday to Sunday, Maulana Noorani strongly criticized the decision.[118] According to him the decision, of the weekly holidays on Friday was unanimously taken by the National Assembly after a lengthy debate in 1975, and could not be changed by the Prime Minster by just making an announcement in this regard.[119]

The PML-dominated Parliament passed a law in 1997 giving the Prime Minster direct control over the accountability process (Ehtisab) that had been initiated to bring to justice those high officials accused of corruption in the previous Benazir Bhutto regime. In the same vein, the Parliament adopted the Anti-Terrorism Act 1997 (ATA), which let the use of force against anyone committing, or believe to be about to commit, a terrorist offence. Special courts were established to conduct summary trials of persons charged with such offenses.[120]

Despite his overwhelming electoral mandate and the bolstering of his authority through the measures described above, "Nawaz Sharif's government was not able to bring even a modicum of order to Pakistan. Ethnic and sectarian conflict continued unabated. Rival factions in the Muhajir Quami Movement (MQM) in Urban Sindh notably Karachi, killed each other's activists and sympathizers every week. Militant groups, belonging to the *Sunni* and *Shia* sects within

Islam, bombed each other's mosques and assassinated each other's religious leaders, professional and other notables. Police officers and high ranking civil servants were among those killed and the police became reluctant to investigate because of fear of reprisals".[121]

Maulana Noorani, at the end of two days joint meeting of JUP *Majlis-i- Shura* and *Aamla* to discuss the prevailing political situation in the country and the National Budget 1997-98,[122] while talking to the newspersons expressed his dissatisfaction on the last 100 days performance of the government. He not only criticized the government failure to improve law and order situation but also made it responsible for not drawing the direction of the country's foreign policy. However he was of the view the government should be given at least one year to implement its policies. Maulana Noorani also warned the government that in case of its failure to take steps for the enforcement of Nizami-i-Mustafa his party would be at the forefront in the anti-government campaign. Maulana Noorani showed his satisfaction on the budget only if the government would not announce any mini budget latter.[123]

Nawaz Sharif's drive to strengthen his rule resulted in conflict between the executive and the judiciary.[124] "The issue was settled to his satisfaction with the 2nd December resignation of President Farooq Leghari and the subsequent easing out of Chief Justice Sajjad Ali Shah."[125]

After establishing a firm control over state institutions, though constitutional changes and political manipulation, Nawaz Sharif continued his drive for concentrating all power in himself and a small group of close associates.[126] The host of measures adopted by him, led to his gradual downfall which included installment of a family friend and political non-entity, Rafiq Tarar as the President of Pakistan, Government hostile policy against journalist and a prominent groups of newspapers,

imposition of Governor's Rule in Sindh, imposition of state of emergency after Pakistan's nuclear test in 28 May 1998, a plan to undo the constitution through introduction of

Fifteenth constitutional amendment in August 1998 forced removal of the Army Chief Jehangir Karamat etc.[127]

When the different opposition parties made bids to launch street agitation against the government Maulana Noorani did not support these efforts because he was of the view that any anti-government campaign could either result in the imposition of martial law or in case of elections the return of the PPP to power which he considered against the interest of the country and his party. However in his statements and public addresses he criticized the government on different issues such as Kashmir, law and order, price hike, sectarianism increasing unemployment and demanded the government to adopt suitable policies in this regards.[128] He concentrated more of his party's re-organization[129] and particularly the re-unification of JUP

(Noorani and Niazi groups).

However in the aftermath of the Kargill crisis[130] the relationship between the Nawaz government and the leadership of the Armed forces grew extremely tense and finally resulted in coup of the Army on 12 October 1999 thus ending the Nawaz Sharif 2nd rule.

NOTES

Chapter 7

[1] Paula Newberg, "Dateline Pakistan: Bhutto's Back," *Foreign Policy*, No. 95, (Summer, 1994), 161.

[2] For the detail of different parties and independents elected in the 1993 National Assembly elections see Lawrence Ziring, "The second stage in Pakistan politics: the 1993 elections", *Asian survey* 33, no. 12 (December, 1993): 1181.

[3] For the detail of Provincial Assemblies results see Ibid., 1182.

[4] For the detail of the Presidential elections see Ibid., 1184-5.

[5] The News (Islamabad) 14 November 1993.

[6] Ziring, "The second stage in Pakistan Politics," 1185.

[7] Ibid., 1182.

[8] *Nida-i-Ahl-i-Sunnat*, 15-31 July 1993, 15.

[9] Yasmeen, "Democracy in Pakistan," 588.

[10] The meeting was held on 27, 28 October 1993 and was attended by Maulana Shah Ahmed Noorani, Prof. Shah Farid-ul-Haq, Gen (R) K. M. Azhar, Syed Hamid Saeed Kazmi, Muhammad Usman Khan Nuri, Muhammad Ramzan Araien, Hafiz Muhammad Sadiq, Sahibzada Muhammad Zubair, Aurangzeb Khan Tanoli, Maulana Muhammad Saeed , Asad Syed Shabbir Hashmi, Qari Zawar Bahadir, Ch. Muhammad Yaqoob, Muhammad Khan Laghari, Syed Muhammad Mahfuz Mashaidi, Pir Ijaz Hashmi, Ali Hassan Zahid, Sahibzada Muhammad Ikram Shah, Muhammad Akhtar Khan, Captain(R) Muhammad Sarwar, Iqbal Ahmed Farooqi, Maulana Khadim Hussain, Shariqpuri, Rana Muhammad Arshad. Ch. Muhammad Ikram, Maulana Hamid Akhtar, Ch. Muhammad Saeed Shad, Muhammad Iqbal Azhari and Dr. Muhmmad Badar Qureshi. *Nida-i-Ahl-i-Sunnat*, 1-15 December 1993, 8.

[11] Ibid.

[12] Ibid., 7.

[13] For such demands see Ibid., 8;*Nida-i-Ahl-i-Sunnat*, 1-15 January 1994, 5; *Nida-i-Ahl-i-Sunnat,*16-31 January, 1994, 4, 6; *Nida-i-Ahl-i-Sunnat*, 1-5 February 1994, 1, 6.

[14] Tahir Amin, "Pakistan in 1994: The politics of confrontation," *Asian Survey* 35, no. 2 (February, 1995): 145.

[15] Ibid., 197-8.

[16] *Nida-i-Ahl-i-Sunnat*, 16-31 December 1993, 8.

[17] Khan, "Pakistan in 1992,"137.

[18] For Anti-Americanism see Ivan Krastev, “The Anti-American Country?” *Journal of Democracy* 15, no. 2 (Apr., 2004) : 5-16.

[19] *Nida-i-Ahl-i-Sunnat*, 16-31 January 1994, 1, 7-8.

[20] It goes back to the partition of India in 1947 and remained a disputed territory between India and Pakistan with one-third of the original state of Jammu and Kashmir (J & K) now with Pakistan and two-third with India.

[21]For the detail discussion on the term see Jonathan Berg, “The right of self-determination,” *public affairs Quarterly*, 5 no. 3, (July, 1991), 211-225.

[22] Amin, “Pakistan in 1993,” 199.

[23] *Nida-i-Ahl-i-Sunnat*, 1-15 December 1993, 1.

[24] Amin, “Pakistan in 1994,” 145.

[25] Ibid., 146.

[26] *Nida-i-Ahl-i-Sunnat*, 16-31 December 1993.

[27] Amin, “Pakistan in 1993,” 191.

[28] Ibid., 140.

[29] For detail of the confrontational politics between PPP and PML (N) see Amin, “Pakistan in 1994,” 141-143.

[30] *Nida-i-Ahl-i-Sunnat, 1*-15 December, 1993, 1; *Nida-i-Ahl-i-Sunnat*, 1-16 December 1993, 1.

[31] Amin, “Pakistan in 1994,” 140.

[32] Andrew R. Wilder, “Changing Patterns of Punjab Politics in Pakistan: National Assembly Results 1988 and 1993,” *Asian Survey* 35, no. 4 (April, 1995): 393.

[33] Rober Laporte, Jr., “Pakistan in 1995: The continuing Crises,” *Asian Survey* 35, no. 2 (February, 1996):182.

[34] For detail study of the conflict see Vali R. Nasr, “International Politics, Domestic Imperatives, and Identity mobilization: Sectarianism in Pakistan 1979-1998,” *Comparative Politics*32, no. 2, (January, 2000) 171-190; See V. R. Nasr, “The Rise of Sunni Militancy in Pakistan: The changing Role of Islamism and the ulama in society and politics”, *Modern Asian Studies* 34, no. 1, (February, 2000), 139-180; also see Muhammad Qasim Zaman, “Sectarianism in Pakistan: The Radicalization of Shia and Sunni Identities,” *Modern Asian Studies* 32, no.3 (July, 1998), 689-716.

[35] Mumtaz Ahmed, The crescent and the Sword: Islam, the Military, and political legitimacy in Pakistan, 19971985,” *Middle East Journal* 50, no. 3 (Summer, 1996), 378.

[36] Ibid.

[37] Ibid., Also see Shameem Uddin, *Yadon kay Diye,* 288-89.

[38] Ibid.

[39] Vali R. Nasr, “Sectarianism in Pakistan, 1979-1998,” 177.

[40] Ibid., 177-8.

[41] In Saudi Arabia 'until 1993 schoolbooks openly denounce Shi'a … beliefs as *bid'a* and Shi'a were referred to as *rafida*, a very derogatory term. Shi'a are often referred to as *mushrikeen* (polytheists) or unbelievers, against whom it is a duty to lead *Jihad*.' Michaela Prokop, "Saudi Arabia: The Politics of Education," International Affair 79, no.1 (Jan., 2003) : 77-89.

[42] For the historical study of Wahabism in the Sub-Continent see Charles Allen, "The Hidden Roots of Wahhabism in British India," World Policy Journal 22, no. 2 (Summer, 2005) : 87-93.

[43] Maulana Noorani considered it a conspiracy against Islam and advised the government of Pakistan to remain neutral. He was a member of Peace Mission for the cease fire of the Iran Iraq War. Qaisar, *Aik Alam*, 56-7.

[44] Ibid., 178.

[45] Ibid.

[46] Ibid., 180.

[47] Ibid., 184-5.

[48] Ibid., 186.

[49] Robert Laporte, Jr., "Pakistan in 1995", 185. For details of the case see *Nida-i-Ahl-i-Sunnat*, March 1995, 13.

[50] *Nida-i-Ahl-i-Sunnat,* March 1995, 14, 23-24.

[51] Ibid., 10.

[52] Ibid.

[53] Ibid., 34.

[54] The meeting was convened by Maulana Sami ul Haq the head of his own group of JUI and was attended by all major religious parties and groups except SM who boycotted the meeting Ibid., 35.

[55] The Zabta-i-Ikhlaq Committee was headed by Prof. Sajid Mir the head of Jamiat-i-Ahl-i-Hadees. The other number of the committee were Maulana Qazi Abdul Lateef (JUI-S), Prof. Khursheed Ahmed (JI), Senator Jawad Hadi (IJP), Syed Shabbir Ahmed Hashmi (JUP Noorani) and Maulana Abdul Malik of Itihad-ul-*Ulama*. The MYC meeting also formed another committee to prepare a report on the cases registered against different religious leaders. The committee was headed by Liaqat Baloch. The other member of the committee were Saleem Butt Advocate, Allama Iftikhar Naqvi, Sardar Muhammad Khan Laghari, Ali Ghazanfar Kararvi and Nadeem Iqbal Advocate. Ibid.,36.

[56] Ibid.

[57] Ibid., 35.

[58] Qazi Hussain Ahmed (President of JI) presented the name of Maulana Noorani for the President ship of the MYC which was second by Maulana Abdul Sattar Khan Niazi [the President of the JUP (Niazi)]. No one opposed his candidate Maulana Noorani thanked all the leaders of the different religious parties for showing their confidence in him but refused to accept the responsibilities of the President-ship of the council. As all the leaders unanimously asked him to change his decision so he did and accepted the President-ship of the MYC. *Nida-Ahl-i-Sunnat,* May 1995, 9; for the appreciation of the national press on the formation of MYC see *Nawa-i-Waqt (Rawalpindi), Jang*

(Rawalpindi), Pakistan (Islamabad), Khabrain(Islamabad), 25 March 1995. For the reduction of the sectarian violence after the establishment of MYC see *Nida-i-Ahl-i-Sunnat*, April 1995, 1-2.

[59] The first section of Zabita-i-Ikhlaq was infact the famous 22 points unanimously passed by the *Ulama* of the different schools of thought in 1951. *Nida-i-Ahl-i-Sunnat*, May 1995, 19. For the detail of the 22-points see Appendix-A.

[60] Ahmed, *Arooj-o-Zawal*, 58.

[61] Nasar, "Sectarianism in Pakistan, 1979-1998," 186.

[62] *Nida-i-Ahl-i-Sunnat,* May 1995, 21.

[63] For details of its 4th and 7th meetings at Peshawar and Muzarabad (Azad Jammu & Kashmir) on 29 May and 10 October 1995 respectively see *Nida-i-Ahl-i-Sunnat,* August 1995, 28-29; *Nida-i-Ahl-i-Sunnat,* November 1995, 910.

[64] *Nida-i-Ahl-i-Sunnat,* February 1996, 13-16.

[65] Nasr, "Sectarianism in Pakistan 1979-1998", 187.

[66] The Islami Yakjahti Council was headed by a pro-government religious leader Qazi Abdul Qadeer Khamoosh.

[67] In the murder attack Maulana Ilyas Qadri was unhurt but two workers of Dawat-i-Islami Muhammad Zahid Qadri and Muhammad Sajjad Qadri were killed.

[68] A non-political religious organization established in 1981 at the residence of Maulana Noorani in a meeting of the leading Ahl-i-Sunnat *Ulama*.

[69] Nasr, "Sectarianism in Pakistan 1979-1998," 187.

[70] *Nida-i-Ahl-i-Sunnat*, February 1996, 10-11; Monthly *Nida-i- Jamiat (Lahore),* June 1996, 1.

[71] *Nida-i-Ahl-i-Sunnat,* February 1996, 6-7.

[72] *Jang (Rawalpindi),* 26 March 1996.

[73] For detail of the government proposed electoral reforms see *Nida-i-Ahl-i-Sunnat,* April 1996, 6-7. The main objection of the MYC on the electoral reforms was the proposed introduction of joint electorates and the right of dual vote for the minorities.

[74] *Jang (Lahore),* 26 March 1996.

[75] *Nida-i-Jamiat (Rawalpindi),* June 1996, 2.

[76] All the constituent parties of the MYC showed their full confidence in his leadership however some sections of Ahl-i-Sunnat-Wa-Jamaat criticized his collaboration with the Wahabi-Deobandi and Shia sects. For the detail of such criticism see *Alqool-ul-Sadeed* , June 1995, 11-12; *Alqool-ul-Sadeed* July 1995, 41-76.

[77] *Nida-i-Ahl-i-Sunnat*, 1-15 November 1993, 8; *Nida-i-Ahl-i-Sunnat*, 1-15 January 1994, 8.

[78] Some of these policies were the government desire to make changes in the blasphemy law, its policies regarding sectarianism, ethnic violence, madrasas, Kashmir, nuclear issues and alleged promotion of vulgarity. For Maulana Noorani speeches and statement (in the year 1995) against these government policies see *Nida-i-Ahl-i-Sunnat,* March 1995, 14, 21, 23, 24; *Nida-i-Ahl-i-Sunnat*, April 1995, 34, 38; *Nida-i-Ahl-i-Sunnat,* May 1995, 12, 17; *Nida-iAhl-i-Sunnat*, October 1995, 15; *Nida-i-Ahl-i-Sunnat*, November 1995, 34; *Nida-i-Ahl-i-Sunnat*, December 1995, 20,

21, 37. JUP took an anti-government stand and remained active not only in the MYC but also came closer to the PML (N) and other opposition religious political parties. The first formal meeting between the JUP and the PML (N) after the formation of PPP-government in October 1993 was held on 28 June 1995 at the JUP office at Lahore when Nawaz Sharif the head of the PML (N) led his party's delegation to meet Maulana Noorani and his party's associates. For detail see *Nida-i-Ahl-i-Sunnat,* August 1995, 24-25. Similarly Maulana Noorani addressed the JI convention on 10 November 1995 at Minar-i-Pakistan Lahore. For detail of his address see *Nida-i-Ahl-i-Sunnat*, December 1995, 35-36, 42.

[79] For detail of the PPP-government proposed changes in the election procedures see *Nida-i-Ahl-i-Sunnat* April 1996, 6, 7.

[80] *Monthly Akhbar-i-Jamiat* (Lahore), March 1996, 1.

[81] For the detail of Maulana Noorani's addresses during the his Punjab Tour see *Akbar-i-Jamiat* , April 1996, 1-5.

[82] For detail of his address see *Nida-i-Ahl-i-Sunnat,* May 1996, 10-11; *Akbar-i-Jamiat,* April 1996, 6-7.

[83] *Nida-i-Ahl-i-Sunnat,* May 1996, 14-17.

[84] Ibid., 32-36.

[85] Ibid., 37, 38.

[86] Robert Lahore. Jr., "Pakistan in 1995," 180. One such example was the dismissal of Punjab Chief Minister Manzoor Watoo on September 1995. Watoo was from the PML (Junejo) whose members went into coalition with the PPP in Punjab to form the government in the province. His (Watoo's) 'tendency to favor only his supporters in the distribution of development funds and jobs' was the major factor in his removal. Ibid., 181-2.

[87] Ibid., 180.

[88] Khan, *Constitutional History*, 435.

[89] Robert Laporte. Jr., "Pakistan in 1996: Starting over Again," *Asian Survey* 37, no. 2 (Feb., 1997), 119.

[90] Saeed Shafqat, "Pakistan under Benazir Bhutto," *Asian Survey* 36, no. 7 (July., 1996), 672.

[91] *Nida-i-Ahl-i-Sunnat,* July 1996, 10.

[92] The conference was attended by Pakistan Jamhori Party, Pakistan Muslim League (N), Pakistan Muslim League (J), Pakistan Muslim League(Q), Pakistan Muslim Leage(F), Jamhori Watan Party, Sindh National Front, Awami National Party, Tehrik-i-Jafriya Pakistan, National Democratic Party, Jamiat-i-Ahl-i-Hadees, Jamaat Islami, Jamiati-*Ulama*-i-Islam (S), Jamiat-i-*Ulama*-i-Islam (F), Pakistan National Party, Awami Jamhor Party, Pakistan Qumi Mahaz, Azad Parlimany Group, Tehrik-i-Istaqlal, Engineering Council, Pakistan Medical Association, Chamber of Commerce, CPNS, Pakistan Works Service Men Association, Labor Federation, WAPDA Hydroelectric Union, Anjuman-i-Tajiran Pakistan. Ibid., 21.

[93] For detail of the speeches made by the participants of the conference see Ibid. 11-17; Also see Noorani, Shah Ahmed Noorani: *Qumi Budget Conference I,II, III*. Islamabad, 1996. Videocassette.

[94] For the demands of the conference see Ibid. 21. Also see *Nida-i-Jamiat,* June 1996, 11.

[95] Laporte. Jr., "Pakistan in 1996," 119-120; *Nida-i-Ahl-i-Sunnat*, July 1996, 7.

[96] Nida-i-Ahl-i-Sunnat, July 1996, 7; Jang (Rawalpindi) , 25 July 1996. The meeting was convened by Nawaz Sharif the head of PML(N) which was attended by the leaders of the follow political parties Jamiat-i-*Ulama*-i-Pakistan

(Noorani), Jamiat-i-*Ulama*-Pakistan (Niazi), Jammat Islami, Awami National Party, Mutahida Qumi Movement, Jamoohri Watan Party, Jamiat-i-*Ulama*-i-Islam (S), Jamiat-i-Ahl-i-Hadis, Tehrik-i-Jafriya Pakistan, United National Front, Pakistan National Party, Qumi Mahaz-i-Azadi, Azad Group, Jamaat Ahl-i-hadees.

[97] Laporte. Jr., "Pakistan in 1996," 120; Khan, *Constitutional History*, 438-9.

[98] Saeed Shafqat, "Pakistan under Benazir Bhutto," 672.

[99] *Nida-i-Ahl-i-Sunnat*, November 1996, 1. Other leader who met the President were the leader of the opposition Mian Nawaz Sharif, the head of Jamaat Islami Qazi Hussain Ahmed.

[100] *Nida-i-Ahl-i-Sunnat*, November 1996, 12-13.

[101] The mini budget imposed 40 billion Rupees (930 million) in new taxes and the devolution of the Rupee by nearly 8 percent. Though the annual budget in June had raised another 40 billion rupees in taxes which the government failed to collect, as the economy went into deep recession and corruption sapped business confidence. The government was forced to announce the October measures by the worst economic and fiscal crisis in the country's history and its stalled relationship with International Monetary Fund (IMF) as foreign-exchange reserves plunged to just $ 587 million, compared to $ 1.7 billion in July there was serious danger of Pakistan defaulting on interest repayments for its $ 28.6 billion foreign debt. See Ahmed Rashid, "Pakistan: On a knife edge of uncertainly," *The World Today* 53, no. 1(Jan., 1997), 7-8.

[102] Ahmed, *Arooj-o-Zawal*, 209.

[103] Ibid., 210-11.

[104] Khan, *Constitutional History*, 440.

[105] Meraj Khalid was speaker of the National Assembly in 1988 during the first Benazir Bhutto government, also served in one of the cabinets of Zulfiqar Ali Bhutto in the 1970's and was described as a 'once active left-wing crusader'. Laporte. Jr., "Pakistan in 1996," 120.

[106] Ibid., 121.

[107] Khan, *Constitutional History*, 444-45.

[108] Laporte. Jr., "Pakistan in 1996," 122.

[109] Benazir Bhutoo Vs Farooq Ahmed Laghari, PLJ 1998 S.C. 27. Benazir filled a petition challenging the order of dissolution of the National Assembly and the dismissal of her government on 13 November 1996.

[110] *Nida-i-Ahl-i-Sunnat*, April 1997, 11.

[111] Ibid.

[112] *Nida-i-Ahl-i-Sunnat*, April 1997, 24-26. The meeting also passed separate resolutions demanding the end of civil war in Afghanistan condemnation of the anti-Muslim policy of America.

[113] Ibid., 10-11. The election to the National and Provincial assemblies was held on 6 February 1996.

[114] In contrast the PPP headed by Benazir Bhutto, was wiped out everywhere except in Sindh. Out of 207 Muslim seats in the National Assembly it won only 19, all except one from Sindh. In the Provincial Assemblies it won 36 out of 109 seats in Sindh , 1 out of 40 in Baluchistan, 4 out of 83 in NWFP, and 3 out of 248 in the Punjab. Anwar H. Syed, " Pakistan in 1997: Nawaz Sharif's second chance to govern," *Asian survey* 38, no. 2 (Feb ., 1998), 117.

[115] *Nida-i-Ahl-i-Sunnat* 1997, 16, 31.

[116] Ibid., 119; Also see Ameen Jan, "Pakistan on a precipice," *Asian Survey* 39, no. 5 (Sep – Oct., 1999), 700.

[117] This amendment authorized the leaders of the Parliamentary parties to expel from the legislature any member who violates party discipline. Ibid.

[118] *Nida-i-Ahl-i-Sunnat,* April 1997, 11.

[119] Ibid., For Maulana Noorani statements in support of Friday as a weekly holiday see *Khabrain* (*Lahore*) 8 December, 1997 *Daily Assas* (*Rawalpindi*) 10 December, 1997; *Jang* (*Karachi*), 3 January. 1998.

[120] Jan, "Pakistan on a precipice", 705; Syed, "Pakistan in 1997," 120.

[121] Syed, "Pakistan in 1997," 120.

[122] The meeting was held on 16-17 June 1997 at Lahore and was presided over by Maulana Noorani. *Nida-i-Ahl-iSunnat*, July 1997, 22.

[123] Ibid.

[124] For detail see Jan, "Pakistan on a precipice," 705-6; Syed, "Pakistan in 1997," 119-20; Khan, *Constitutional History*, 452-465.

[125] Hassan Askari Rizvi, "Pakistan in 1998: The polity under pressure," *Aisan Survey* 39 no. 1 (Jan.-Feb., 1999),177.

[126] Hassan Askari Rizvi, "Pakistan in 1999: Back to square one", *Asian Survey* 40 no. 1 (Jan-Feb., 2000), 208.

[127] For details see Rizvi, "Pakistan in 1998", 177-184; Rizvi, "Pakistan in 1998," 208-210, 217; Jan, "Pakistan on a precipice", 699-719.

[128] For details see *Ahwal-ul-Asar,* May 1998, 22-23, 27-28; *Ahwal-ul-Asar,* January 1999, 28-31; *Ahwal- ul-Asar*, March 1999, 10-11, 22-23; *Ahwal-ul-Asar,* April 1999, 48.

[129] For detail of Maulana Noorani efforts in this regard see *Nida-i-Ahl-i-Sunnat* July 1997,22-23; *Ahwal-ul-Asar*, May 1998, 35, 41; *Ahwal-ul-Asar,* June 1998, 46-48; *Ahwal-ul-Asar,* April 1999, 47; *Ahwal-ul-Asar,* July 1999, 42; *Nida-i-Ahl-i-Sunnat*, July 1999, 30-32.

[130] For details see Farzana Shakoor, "The Cargill Crisis: An analysis," *Pakistan Horizon* 52 no. 3 (Jul., 1999), 49-65; for the background of the confrontation between the Nawaz government and military see Rizvi, "Pakistan in 1999," 211-12. Shireen Mazari, *The Kargil Conflict 1999: Separating Fact from Fiction* (Islamabad: Institute of Strategic Studies, 2003).

Chapter 8
Reaction to Musharraf's Martial Law and 9/11
1999-2003

On 12 October 1999 when Prime Minister Nawaz Sharif appointed the Inter Services Intelligence (ISI) chief, Lieutenant Gen. Khawaja Zia Ud Din on the post of the Chief of Army Staff (COAS), and dismissed Gen. Pervaiz Musharraf in a surreptitious move, the army refused to accept the command of the Nawaz Sharif appointed new COAS, and moved out of the barracks to take direct charge of the country. The Prime Minister initiative was sudden and unexpected, as he, on 28 September 1999 had extended Gen. Pervaiz Musharraf's tenure of office up to 6 October, 2001.[1] The dismissal of the COAS was made public when he was airborne and returning form an official trip to Sri Lanka. The formalities of making Lt. Gen. Khawaja Zia ud Din as COAS and dismissal of Gen. Pervez Musharraf were carried out, yet the army corps commanders did not acquiesce to the new situation. In his address to the Nation on 13 October 1999, Gen. Pervez Musharraf announced that the PML (N) government had been removed and the armed forces had moved in to take control of the affairs of the country.[2]

Unlike the past military interventions, Gen. Pervez Musharraf proclaimed 'emergency' throughout Pakistan and assumed the office of the Chief Executive the proclamation of emergency was used to make a benign political appearance to the outside world. Gen. Musharraf proclaimed that the 1973 constitution was held in abeyance but the President would, however, continue in office. It was also announced that the National Assembly, the Senate, and the four Provincial Assemblies would stand suspended. Deviating from the past practice of calling himself the CMLA, Gen. Musharraf preferred the corporate world title of Chief Executive of country equating himself to Prime Minister. Contrary to Gen. Zia's military setup, the senior military commanders did not paint a rosy picture of holding elections within 90 days, thereby implying that the military intended to stay longer.

To run the country a Provisional Constitution Order (PCO) was promulgated which provided that in spite of the abeyance of 1973 constitution, the country would be governed as nearly as might be in accordance with the constitution. The main points of the PCO were as followed:

i. All courts in existence would continue to function and to exercise their respective powers and jurisdiction provided that the Supreme Court, High Courts or any other court would not have the power to make any order against the Chief Executive or any person exercising power or jurisdiction under his authority.

ii. The fundamental rights under the constitution, not in conflict with the proclamation of emergency or any order made there under from time to time, would continue to be in force.

iii. The President was to act on the advice of the Chief Executive.

iv. No court could pass any judgment, decree, writ, order or process what-so-ever against the Chief Executive or any authority designated by him.

v. All laws other than the constitution would continue in force until altered, amended or repealed by the Chief Executive or any authority designated by him.

vi. All persons who were members of the services would continue in office. [3]

In his television address on 17 October 1999, Gen. Pervez Musharraf announced the following seven-point agenda to be achieved by his regime:

i. Re-building of national confidence and morale;

ii. Strengthening of the federation by removal of inter-provincial disharmony and restoration of national cohesion;

iii. Revival of economy and restoration of investor's confidence;

iv. Ensuring law and order and dispensing speedy justice;

v. De-politicization of state institutions; vi. Devolution of power to grass-roots level, and vii. Ensuring swift and across the board accountability. [4]

As the country was experiencing Gen. Perviz Musharraf's Martial Law, the *Ahl-i-Sunnat- Wa-Jamaat* faced an issue which resulted in its further weakening and division.[5] The issue, which seemed to be simply related to the holding of an International Sunni Conference at Multan on 1-2 April 2000 organized by JASP(a non-political wing of JUP/ *Ahl-i-Sunnat- Wa-Jamaat)* had in fact old deep rooted differences between JUP led by Maulana Noorani and JASP (under the influence of anti-Maulana Noorani group).

According to JUP sources JASP which was once considered to be doing great job for the unity and progress of *Ahl-i-Sunnat- Wa-Jamaat* since its creation, turned into an organization working the other way around in 1990s. After the death of Allama Ahmed Saeed Kazmi (the *Ameer* of JASP) in June 1986, Sahibzada Hamid Saeed Kazmi (son of Allama Ahmed Saeed Kazmi) was elected as the *Nazim-i-Ala* of the organization with the strong support of Maulana Noorani. However, Sahibzada Hamid Saeed Kazmi was alleged of not convening the meeting of JASP *Majlis-i- Shura* or *Amla* for years. Finally in January 1994 the meeting held at *Hizbul Ahnaf* Lahore, a 'united' JASP was announced. The meeting also appointed a Supreme Council of JASP (SCJASP) under the chairmanship of Pir Karam Shah.[6]

The SCJASP announced the organizational setup which brought into the offices Sahibzada Hamid Saeed Kazmi and Pir Afzal Qadri as *Ameer* and *Nazim-i-Ala* of JASP respectively. They (*Ameer* and *Nazim-i-Ala* of JASP) appointed the *Majlis-i-Shura* which did not have an adequate representation of JUP (Noorani).[7] After the 1997 general elections Syed Riaz Hussain Shah was appointed as an ad-hoc *Nazim-i-Ala* of JASP on 30 May 1998.[8] It is interesting to note that he was also the *Khateeb* of *Itifaq Masjid* (the central mosque) of *Itifaq* Foundries owned by the then Prime Minister Nawaz Sharif and his family.

In the mean while the Nawaz Sharif Government, secretly wanted to check the growing influence of *Lashkar-i-Tayiba* (a sectarian militant organization), conveyed a message through

Shehbaz Sharif to Maulana Noorani to challenge *Lashkar-i-Tayiba* by organizing *Ahl-i-Sunnat*. Maulana Noorani declined the offer by saying that he did not want to indulge the country in the fire of sectarianism as he was working to defuse it.[9] So after the refusal of Maulana Noorani, according to JUP sources JASP was approached (allegedly through JASP *Nazim-i-Ala*) which first organized 'Ya Rasool Ullah Rally' on 1 November 1998[10] and later convened a meeting of the leaders *Ahl-i-Sunnat-Wa-Jamaat* by the name of '*Sunni* All Parties Leaders Conference' on 11 April 1999 at *Hizbul Ahnaf* Lahore. Mazhar Saeed Kazmi (the *Ameer* of JASP) invited Maulana Noorani to attend the conference but he categorically declined the invitation.[11]

In the same meeting it was decided to hold an international Sunni Conference at Multan on 12 April 2000. Hamid Saeed Kazmi (the younger brother of Mazhar Saeed Kazmi) the President of JUP Punjab was appointed as the Chairman of Reception Committee of the above mentioned conference.[12] According to the JUP sources the conference had the full support of Nawaz Sharif

Government to bring forth a leadership of *Ahl-i-Sunnat-Wa-Jamaat* who would not only sideline Maulana Noorani but also challenge the growing power of *Lashkar-i-Tayiba*.[13] That's why

Maulana Noorani and his party announced the boycott of the conference. However, Hamid Saeed Kazmi was working for the success of the conference[14] but also along with some other leaders of

JASP was involved in criticizing Maulana Noorani leadership and his boycott decision. [15]

At this atmosphere of confrontation which was in fact weakening the *Ahl-i-Sunnat-WaJamaat* as a whole Maulana Noorani in his address to the second session of *Majlis-i- Shura* of

JUP held at *Jamia Muhammadia Rizvia* Lahore resigned from the President-ship of the party on 17 January 2000.[16]

After his resignation, Maulana Noorani started his whole hearted efforts to unite the various groups of JUP.[17] Finally on 28 October 2000 in a historical joint meeting of the JUP Noorani and Niazi groups held at *Darul Ulum Jamia Muhammdia Rizvia* Lahore the announcement of the unification of the JUP was made. The meeting elected Maulana Noorani the Chairman of

Supreme Council,[18] Maulana Niazi President, Syed Muhammad Amir Galini Senior Vice-

President and Prof. Shah Faridul Haq General Secretary of the party respectively.[19]

After assuming power Gen. Pervez Musharraf projected himself a liberal general known for his drinking and fondness of gambling who admired the secular Mustafa Kamal. Some of his first pictures after the coup were with his dogs[20], and his speeches were then peppered with terminologies such as 'doubling down' and 'tripling down' (drawn from black-jeck)."[21] Maulana Noorani considered the outlook of Gen. Musharraf un-Islamic and declared that a Muslim

General must have swards in his hands instead of pets.[22] Similarly Maulana Noorani considered Gen. Musharraf a drinker and an American ally.[23]

Initially, the military regime did not touch the judiciary and it was allowed to exercise its constitutional jurisdiction, except being barred from challenging the proclamation of Emergency or issuing any writ against the Chief Executive. The judges of the higher courts were not required to

take oath of allegiance to the PCO. The question of the administration of oath to the judges came up in January 2000, when the new Chief Justice, Justice Mian Ajmal of the Peshawar High Court, had been appointed, and it was agreed between the Chief Justice of Pakistan and the military regime that he would take oath as provided under the 1973 Constitution. Earlier on, 31 December 1999 the military government had reaffirmed through the oath of office (Judges) Order 1999, that the judges of higher courts would take their oath under the 1973 Constitution.

Ousted Prime Minister Nawaz Sharif and his party leaders opposing military takeover filed various petitions in the Supreme Court, under Article 184(3) of the Constitution. The petitioners prayed for the restoration of assemblies and civilian government. The military regime seemingly panicked when these petitions were entertained by the Supreme Court and fixed a hearing for 31 January 2000. Notwithstanding the apprehensions of the military regime regarding the remote possibility of adverse findings by the Supreme Court on the 12 October 1999 takeover.

So, in the fourth week of January 2000 the military government decided to administer a fresh oath of office of the judges of the superior courts, and to that end, the Chief Justice of the Supreme Court, Saiduzzaman Siddiqui was summoned by Gen. Musharraf and was asked to consider and discuss the matter with his fellow judges. Despite persuasions to the contrary, the

Chief Justice and his close associates in the judiciary remained reluctant to accept the regime's decision. On 26 January 2000 the military regime invited the judges to take oath anew under the

PCO. The Janta did not allow the Chief Justice to go to the Supreme Court building in Islamabad, and the judges' colony was virtually cordoned off by security personnel on that day. Evidently, the Chief Justice was stopped from going to the Supreme Court lest he might persuade his colleagues to reject the PCO and the new oath. On that day, as many as 89 out of 103 judges of the Supreme Court, High Courts of the four provinces, and the Federal Shariat court took oath under the PCO. Six Supreme Court judges and the rest belonging to High Courts either refused to take oath or were not invited to do so by the military regime. Only seven judges of the

Supreme Court took oath under the PCO, and the senior-most among them, Justice Irshad Hassan Khan, was appointed as the Chief Justice of Pakistan. The rationale behind the whole move was to ensure the feeling of security in the corridors of powers, without any legal hitch or affront by the legal community, though forcing the PCO oath on the judges was an act of misuse of authority by the regime. Regardless of the benefits accruing to the regime, the institution of the judiciary stood damaged beyond repair.[24]

In April 2000 Gen. Pervez Musharraf had decided to reform the blasphemy law by ruling that charges of blasphemy had to be substantiated by a Deputy Commissioner before the police could be called in.[25] Similarly the Islamic measures which featured in the 1973 constitution had been suspended since military coup of 12th October and were not included in the PCO of 14 October

1999 caused great concern among the general public especially among religious parties. Maulana

Noorani started a rigorous campaign to protect the blasphemy law. In his address at Karachi, Maulana Noorani condemned the Arch Bishop of the Church of England's (who was on a state visit to Pakistan) demand to lessen the punishment of death plenty described in the blasphemy law and the government announcement to make procedural changes in the law. Maulana Noorani declared the blasphemy law as Divine and unchangeable.[26]

Similarly, to include the Islamic provisions of the 1973 constitution in the PCO particularly the declaration of *Qadianis* as non-Muslim, Maulana Noorani convened *Tahafuz-i-Khatm-iNabuwat*

conference at Lahore on 8 May 2000. The conference was attended by the all leaders of all major religious parties. Maulana Noorani presided over the meeting.[27] The conference was addressed by Qazi Husain Ahmed (JI), Maulana Sami ul Haq (JUI-S) Maulana Fazal ur Rehman

(JUI-F), Maulana Abdul Sattar Niazi (JUP), Allama Sajid Naqvi (*Tehriq-i-Jafriya Pakistan*), Prof. Sajid Mir (*Jamiat-i-Ahl-i-Hadis*), Maulana Zia Ul Qasmi (*Sipah-i-Sehaba*), Sahibzada Ateeq ur Rehman Faizpuri (*Jamiat-i-Ulama Jammu Kashmir*), Maulana Abdul Aziz Jalandri

(*Almi Khatim-i-Nabuwat*) Maulana Abdul Malik (*Jamiat-i-Itehad-ul-Ulama*), Maulana Syed Ata-Ul-Momin Bukhari (*Majlis-i-Ihrar*), Maulana Moein-ud-Din Lakhvi (*Jamaat-i-Ahl-i-Hadis*) and Sahidzada Haji Mohammad Fazal-i Kareem.[28]

Maulana Noorani in his presidential address highlighted Gen. Pervez Musharaf's support to Qadianis by suspending Islamic provisions of the 1973 constitution, he also highlighted the role of Jewish funded NGOs in damaging the Islamic ideological foundation of the country. Similarly Maulana Noorani strongly condemned Gen. Musharraf's decision to make changes in the blasphemy law. He was of the view that the government was working on American agenda to take control of Madrasas. Maulana Noorani opposed the government's desire to introduce joint electorates. He, on behalf of the religious parties, extended invitation for negotiation to minorities.[29]

At the end, the conference issued a joint declaration demanding the following:

i. Inclusion of Islamic provisions of the 1973 constitution in the PCO.

ii. Cancellation of the government joint electorate's proposal.

iii. Ban on Jewish and Christians funded NGOs

iv. Restoration of Friday as the weekly holiday.

v. To stop the ongoing government action against *Madrasas* and *Jihadi* organizations. [30]

The JUP *Tahfuz-i- Khatm-i- Nabuwat* Conference gave new momentum to the religious parties campaign for the protection of blasphemy law and the inclusion of the Islamic provision of 1973 constitution in the PCO.[31]

To organize public support for the above mentioned demands JUP under the leadership of Maulana Noorani organized public meetings and rallies. Addressing *Khatam-i-Nabuwat* Conference at Karachi on 27th May, Maulana Noorani declared that the Pakistan Army was not only the defender of the country's borders but also the protector of the finality of Prophet-hood

of Holy Prophet (Peace be upon him). He was of the view that Qadianis were engaged in conspiracies against the country and demanded the audience to pledge the defense of the belief of the finality of Holy Prophet (Peace be upon him).[32]

In the end, the conference passed several resolutions demanding the inclusion of Islamic provisions, particularly declaration of *Qadianis* as non-Muslim in the PCO, ban on foreign

(Western) funded NGOs, declaration of Friday as weekly public holiday and removal of *Qadianis* form the key posts.[33]

Addressing *Mujadid* Conference at Karachi Maulana Noorani highlighted the role of Mujadid Alaf Sani against Muhgal emperors Akbar and Jahangir and declared that to stop a government from doing wrong things one had to follow the way of Hazrat Imam Hussain and Hazrat Mujadid Alaf Sani.[34]

Maulana Noorani took an extensive tour of Multan and Dera Ghazi Khan and addressed several meeting at the different areas of the divisions. In his addresses he highlighted the importance of the belief of the finality of Holy Prophet (Peace be upon him).[35]

Similarly he visited Kasur, Sialkot, Gujarawanla and Lahore and addressed a large number of public meetings demanding the government to include Islamic provisions in the PCO.[36] In the end of his tour Maulana Noorani presided over a meeting of religious parties at Lahore in connection of acceptance of their demands. The meeting decided to observe a nationwide strike in May. [37]

Due to the vigorous campaign of the religious parties particularly of JUP under the leadership of Maulana Noorani, Gen. Musharraf had to backtrack and "promulgated a Provisional Constitutional (Amendment) Order, 2000, which resorted the validity of Articles 203A and 203J (On the Federal Court) and Articles 260(a) and (b) which laid down definitions of a 'Muslim' and a 'non-Muslim'".[38]

Though government accepted some of the major demands of the religious parties Maulana Noorani remained active to compel the government to accept their remaining demands. During his missionary tour abroad his main focus remained on the activities of the *Qadianis* against Islam and Pakistan.[39]

On his return, Maulana Noorani undertook an extensive tour of the Punjab province and some cities of Azad Kashmir to gather public support and to put pressure on government to accept other demands of the religious parties.[40]

Similarly, Maulana Noorani in his meeting with Gen. Musharraf demanded the following things:

i. Establishment of a commission to enquire the NGOs funding and their alleged role in spreading un-Islamic ideology in the country.
ii. The Restoration of weekly holiday on Friday instead of Sunday. iii. To end vulgarity and obscenity on the National Television.
iv. Government action against Mirza Tahir Qadiani (The head of Qadianis) and Altaf Hussain (the head of the MQM) for their activities against Islam and Pakistan cancellation of their Pakistani nationalities.
v. To help the people of Iraq despite of the UNO sanctions.
vi. The next general elections on the basis of the proportional representation system. [41]

In the wake of the military coup, holding of the 1973 constitution in abeyance, and administration of the new oath of office to the judges, President Mohammad Rafiq Tarar was only the constitutional officer untouched by the PCO. However, the coup-maker decided to remove the President in June 2001 and assumed that office. The Supreme Court in the Zafar Ali Shah case held in part:

That the 1973 Constitution still remains the supreme law of the land subject to the condition that certain parts thereof have been held in abeyance an account of State necessity;…. [And] that the Superior Courts continue to function under the Constitution.

The mere fact that the judges of the Superior Courts have taken a new Oath of Office (Judges) Order No. 1 of 2000, does not in any manner derogate from this position, as the Courts had been originally established under the Constitution, and have continued in their functions in spite of the Proclamation of Emergency and PCO No. 1 of 1999 and other legislative instruments issued by the Chief Executive from time to time. [42]

A plain reading of the aforementioned conclusion of the Supreme Court indicates that the Supreme law in the country was the 1973 Constitution. However, such a conclusion of the Supreme Court was negated by the removal of President Mohammad Rafiq Tarar and assumption of the office by the Chief executive under the PCO.[43]

The only reason given out for such high handedness was that since Musharraf was proceeding to India for talks with the Indian government in July 2001, he wanted to be armed with the office of President in order to be in a better position to negotiate with the Indian government.[44]

The events of 11 September 2001 in New York and Washington completely changed the political landscape of the world and left deep imprints on the politics of Pakistan and the neighboring region. The Bush administration immediately blamed Osama bin Laden and his organization Al-Qaeda in Afghanistan for the terrorist act on 9/11. The Pakistan government, as a supporter of the Taliban regime in Afghanistan which was playing host to Osama, came under heavy pressure. US government demanded cooperation from Pakistan under threat of dire consequences.[45]

In his memoirs, Musharraf recalls that the US Secretary of State Colin Powell had telephoned him on 12 September 2001, to warn him bluntly, 'You are either with us or against us'. On the same day, the US Deputy Secretary of State, Richard Armitage told the ISI Director General, then visiting Washington, that 'if we [Pakistan] chose the terrorists, then we [Pakistan] should be prepared to be bombed back to the Stone Age'.[46] On the next day, according to Musharraf, the US ambassador in Islamabad had presented to him, in writing, seven specific demands:

i. Stop Al-Qaeda operatives at your borders, intercept arms shipments through Pakistan, and end all logistical support for Bin Laden. ii. Provide the United States with blanket over-flight and landing to conduct all necessary military and intelligence operations.

iii. Provide territorial access to the United States, and allied military intelligence as needed and other personnel, to conduct all necessary operations against the perpetrators of terrorism and those that harbor them, including the use of Pakistan's naval ports, air bases, and strategic locations on borders.

iv. Provide the United States immediately with intelligence, immigration information and databases, internal security, and information, to help prevent and respond to terrorist acts perpetrated against the United States, its friends, its allies.

v. Continue to publicly condemn the terrorist acts of 11 September and any other terrorist acts against the United States or its friends and allies, and curb all domestic expressions of support (for terrorism) against the United States, its friends, or its allies.

vi. Cut off all shipments of field to the Taliban and any other items and recruits, including volunteers en route to Afghanistan, who can be used in a military offensive capacity or to abet a terrorist threat.

vii. Should the evidence strongly implicate Osama bin Laden and the Al-Qaeda networks in Afghanistan and should Afghanistan and the Taliban continue to harbor him and his network, Pakistan will break diplomatic relations with the Taliban government, end support for the Taliban, and assist the United States in the aforementioned way to destroy Osama bin Laden and his Al-Qaeda network. [47]

After the attacks of 11th September the Bush administration quickly realized that it could not pursue its campaign in Afghanistan - both to break up Bin Laden's terrorist networks and to put an end to the Taliban regime without Pakistan, not only because of the country's key geopolitical position, but also because it could provide information. Since Pakistan was without a constitutional government, the entire burden of taking important decisions fell on Musharraf alone. Musharraf immediately succumbed to all the demands of the US government. The capitulation on his part was so complete that he immediately accepted all the demands made on him, without any consultation. He agreed to completely reverse the policy on Afghanistan and abandoned the Taliban backing, the way for American military operations against Afghanistan. He also agreed to share intelligence with American intelligence agencies in the war against terrorism.

After 9/11, *Madaris* in Pakistan had become the focus of international policy discourse on controlling 'terrorism' on the basis of claims that key Taliban leaders were educated in *Madaris* located mainly in the tribal belts of Pakistan. The US government had become very critical of *Madaris* system as a whole. The *Madaris* were accused of promoting religious fanaticism and sectarian violence within Pakistan, and of 'breading terrorists' for international Islamic *Jihad*.

The Musharraf regime with the financial assistance of the US government decided to resolve reforms and increase its control over the *Madaris*.[48] The religious parties and groups were expecting Musharraf government to take tough measures in this regard as it tried to do it in summer 2001 when Gen. Musharraf took the decision to promulgate a new law affecting the *Madaris* on 18 June 2001, the Pakistan *Madrasa* Education (Establishment and Affiliation of Model *Deeni Madaris*) Board Ordinance 2001 allowed for these schools to be brought into the public education system - not only must their curriculum conform to official standards, but their sources of finance must be revealed to the state. Immediately, senior *Madrasa* staff and all the

Islamic parties and groups in general rejected these measures.[49] However, the government did not enforce its policy with any consistency. Gen. Musharraf himself admitted that his *Madrasa* reforms were being implemented slowly.[50]

Finally, on 19 June 2002 the Musharraf government promulgated the *Madrasa* Ordinance 2002 for setting in motion a legal mechanism for the integration of Islamic education with general education in the *Madaris*. Under the ordinance, all the *Madaris* must be registered at the provincial or federal government to be eligible to receive financial assistance, grants, donations, *Zakat,* or any benefits from the government. *Madaris* refusing to register were to be disbanded or banned from operation. The religious schools were required to maintain accounts and to submit annual reports to their respective *Madaris* boards. To bring *Madaris* education in line with Pakistan's mainstream educational system, the religious school courses on modern discipline such as science, mathematics, English and Urdu were made compulsory and were incorporated into the teaching curricula.[51]

Earlier on, envisaging the Government's action against *Madaris*, the religious parties and groups got together at Lahore to attend *Mutahida Defa-i-Pakistan* Convention.[52] The convention was presided over by Maulana Noorani which resolved to resist any move by the government to control *Madaris*. Maulana Noorani in his address highlighted the history and role of *Madaris* in spreading Islam. He declared *Madaris* as centers of Islamic learning and declared not to accept any restriction on their functioning.[53] Similarly Maulana Noorani addressed several public gatherings in different parts of the country to gather public support against the government move to implement its plans to control *Madaris*. He was of the view that the Government was doing all this to make Pakistan a secular country.[54] However it is interesting to note that despite of his full support to *Madaris,* Maulana Noorani considered that *Darul Ulum Deoband* (India) was

established by the British which resulted in sectarianism in the Indian subcontinent.[55]

After the US attack on Afghanistan 35 political and religious parties and groups including JUP led by Maulana Noorani formed the Pak-Afghan Defense Council (PADC), to express their solidarity with the Taliban of Afghanistan. The three major religious-political parties of PADC JUI (S), JUI (F) and JI had close ties with the Taliban of Afghanistan. The PADC strongly criticized Musharraf's policy of unconditionally supporting the US in its war against Afghanistan.

Later on, in June 2001 the same PADC gave birth to MMA[56] as an electoral alliance to contest October 2002 Elections. MMA included six religio-political parties namely JUP, JUI

(Fazal ur Rehman Group), JUI (Sami-ul-Haq Group), *Jamaat-i-Islami, Markazi Jamiat Ahl-i Hadith* and *Islami Tehrik-i-Pakistan*.[57] Maulana Noorani was elected as the first President of MMA.[58] It was proclaimed that the alliance would work for the freedom, solidarity and the establishment of real Islamic and democratic system in the country.

As a reaction, the Musharraf government accused some of the major religion-political parties for their involvement in terrorist activities and started a crackdown against them. In the mid of January 2002, Gen. Pervez Musharraf banned six hard-line religious groups of different sects alleging them for their involvement in terrorist activities in and outside the country (These included *Sipah-i-Sehaba* Pakistan, *Tehrik-i-Jaferya* Pakistan, *Lashkar-i-Jangvi*, *Jaish-iMohammad*, *Lashkar-i-Tayaba* and *Tehrik-i-Nifaz-i-Shariat-i-Mohammadi*). The decision to ban these organizations was made by Gen. Pervez Musharraf in his speech to the Pakistani nation on 12 January 2002. The decision was taken after the alleged involvement of some of these organizations in suicide bomber attack in the Jammu and Kashmir Assembly in Srinagar killing

40 people and another attack aimed at the Indian Parliament in New Delhi on 13 December

2001, killing 15 people.[59] Most of these banned organizations were outfits of the major religiopolitical parties of the country so these parties strongly condemned the government for banning the organizations.

To strengthen his position, Gen. Musharraf decided to hold a referendum on 30 April 2002

"seeking the people's democratic mandate to serve the nation" as the President of Pakistan for a period of five years. Maulana Noorani strongly criticized and declared it unconstitutional.[60] The question to be put to the electorate was to be answered in either circle 'yes' or 'no' by affixing a stamp in the appropriate circle printed on the ballot paper. The question on the ballot paper read:

> For continuation of the system of local government, establishment of democracy, continuation and stability of reforms, elimination of sectarianism and extremism and attainment of the ideas of Quaid-i-Azam. Do you want to make Gen. Pervez Musharraf President for the next five years? [61]

If the majority voted in the affirmative, it would be deemed that the people of Pakistan had given a democratic mandate to Musharraf to serve as President of Pakistan for five years. The referendum, which was conducted through the lopsided equation of the Election Commission and the Army, further ridiculed the two institutions and the judiciary.

No stone was left unturned to ensure that Gen. Musharraf received an overwhelming 'yes' vote. In order to increase the number of voters, the requirement of having electoral rolls was waived along with the requirement that voters could only vote in the constituency where they were registered. Furthermore, the national ID card voting requirement was also waived, and anyone with a valid photo ID was permitted to vote.[62]

After the referendum (in which he got 'absolute majority'), Musharraf wanted to further strengthen his hold on power by amending the Constitution before it was revived. He assumed the power to amend the Constitution on the basis of the Supreme Court judgment in Zafar Ali Shah's case.

The constitutional package titled 'Establishment of Sustainable Federal Democracy' was made public in two installments; that is, package I was released on 26 June 2002 and Package II on 15 July 2002. The constitutional package for the sake of 'political stability' and 'checks and balances in the power structure' of the country envisaged the following salient features:

i. Voter's age reduce from 21 to 18 years.
ii. Adaptation of joint electorate system as originally contained in 1973 Constitution. However, no reversed seats for the minorities were proposed.
iii. President empowered to remove the prime minster and his cabinet, without dissolving the National Assembly.
iv. President to appoint governors, in his direction.

v. President can nominate any member of the National Assembly as prime minister. vi. Governor can nominate any member of the Provincial Assembly as chief minister.

vii. Setting up the National Security Council, and the President will be the chairman of the National Security Council

viii. Members of the Senate will be elected directly. ix. No independent candidate can take part in the Senate elections.

x. The minimum educational qualification of the bachelor's degree is prescribed for candidature to membership of legislature.

xi. An overall increase of 51 percent in the membership of the assemblies. Number of seats in National Assembly increased from 207 to 357.

xii. Number of Senate seats increased from 87 to 100.

xiii. Number of seats of Punjab Assembly increased from 240 to 390, Sindh Assembly up from 100 to 171, the NWFP Assembly from 80 to 130, and the Baluchistan Assembly from 40 to 67.

xiv. Reversed seats for women, technocrats, and Ulema in the Senate and assemblies increased.

xv. Qualification for reversed seats in Senate, National and provincial assemblies for technocrats will be sixteen years of education, recognized by the University Grants Commission or a recognized statutory body., as well as at least twenty years of experience, including record of achievements at the national or international level.

xvi. The concept of caretaker government has been envisaged in case of general elections on the completion of the normal term of assemblies.

xvii. Election Commission to be converted into permanent and autonomous institution with four members. The tenure of Chief Election Commissioner increased from three to five years. xviii. Loan defaulters will not be able to contest election. xix. Any political party securing less than 10 % of the total votes cast in the election on general seats shall not be entitled to any seats.

xx. Any party getting less than 5 % of the votes will not get any seat in the Senate.

xxi. The amendments proposed disqualification of a convict from holding a political office, regardless of the lapse of time since his release. Similarly, another provision was added, debarring a person who had been proclaimed an absconder or convicted and sentenced to imprisonment for having absconded.

xxii. Local governments to have constitutional cover for their operation and existence.[63]

On 9 October 2002, the LFO was amended particularly, Article 179, 193 and 195 were amended. The retirement age of judges of the Supreme Court was raised from 65 to 68 and that of High Court judges, from 62 to 65. The minimum age for appointment of a High Court judge was also raised, from 40 to 45.

Enhancement in the retirement age of the judges was not included in the two constitutional amendment packages. This amendment was obviously a reward for the judges, particularly Chief Justice Riaz, for rendering verdicts favorable to Musharraf and his military regime. The judges would now be beholden to Musharraf for this extension in service but the same was achieved at the expense of independence of judiciary.

MMA (*Mutahida Majlis-i-Aaml*) rejected the LFO, Maulana Noorani the president of MMA rejected the propped institutional packages and advised the government not to introduce the constitutional amendments but only to hold free and fair elections in the country. He also asked the government for independent Election Commission for free and fair election in October 2002.[64]

With securing his position for five years, Gen. Pervez Musharraf decided to hold parliamentary elections on 10 October 2002, 12 days before the expiration of the Supreme

Court's stipulated deadline. The October elections were held to clothe the regime with a semblance of legitimacy. However, prior to polls, Musharraf ensured that the new elected government would remain subservient to the President. Through the Legal Framework Order (LFO) 2002, Musharraf amended the constitution and restored Article 58-2(b), which empowered the president to dismiss the Prime Minister and Parliament if he was satisfied that "the Government of the Federation cannot be carried on in accordance with the provisions of the constitution."[65] This provision was struck down by Parliament in 1997. Musharraf also created a new body called the National Security Council, chaired by the President and composed of civilians and Chiefs of the Armed Forces. The council was to "serve as a forum for consultation on strategic matters pertaining to the sovereignty, integrity and security of the state; and the matters relating to democracy, governance and inter-provincial harmony."[66] The Council was meant to provide a built-in role for the armed forces in politics of Pakistan, which, according to

Musharraf, was the only way to ensure stability in the country.[67]

Soon MMA issued its election manifesto; the main points of the manifesto were as under:

i. To revive fear of God, affection to the Prophet (Peace be upon him) and service to people with particular emphasis on government officials and cabinet members.

ii. To make Pakistan a true Islamic welfare state to ensure justice to people and eradicate corruption whatsoever.

iii. To ensure provision of bread, clothes, shelter, education, jobs and marriage expenses to all citizens.

iv. To protect basic human rights (life, property and honor) of citizens.

v. To create an independent, just and humane economic system where citizens will be provided opportunities for *halal* jobs, business and investments.

vi. To ensure uniform and quick justice to every citizen, from the president to a layman.

vii. To develop a God fearing, helping, brave and protecting police system.

viii. To get the entire society literate within ten years to enable everyone to know one's right and responsibilities.

ix. To ensure compulsory and free of charge education till matriculation and provide opportunities to meritorious students and scholars for advanced research.

x. To protect rights of women guaranteed by Islam and restoration of their honor and prestige.

xi. To abolish chronic and new feudal systems with forfeiture of illegal wealth and its distribution among poor.

xii. To provide lands to peasants and formers for their livelihood and guarantee reasonable prices to their produce.

xiii. To protect provincial autonomy and district government, taking care of backward areas and classes and taking special steps to get them at par with developed areas.

xiv. To get the country and people rid of influence of imperialistic forces and their local agents.

xv. To extend moral, political and diplomatic help and support to all suppressed with particular emphasis on Kashmiris, Palestinians, Afghans and Chechens.[68]

The Elections for the National and Provincial Assemblies were to be held in October 2002. Maulana Noorani named the election as a referendum between the US agents and Islamic forces hence requested the people to vote for MMA in order to free the country from the US influence.[69]

MMA campaign showed a great unity among the leaders of different sectarian groups of the Muslims which increased good feeling of common people for the alliance. MMA attracted the new voter especially between the ages of 18-21 and also mobilized the old voters to its benefit who generally didn't want to participate in the electoral process.[70] The *Madaris* run by the constituent parties of MMA proved to be the election offices and the students of these *Madaris* were the workers of the election campaign of the MMA. These students organized and participated in the rallies and public meetings of the Alliance. At the same time the ideological allies of each component party, campaigned for the candidates of MMA during their Friday sermons. The political leadership and the students of *Madaris* joined hands for the success of MMA. Mosques and *Madaris* contributed a lot in MMA's success, which was not available to its political rivals.[71]

The military regime used heavy arm-twisting through administration and National

Accountability Bureau to force the ex-members of the Parliament to switch over to the King's Party, PML (Q). The ultimate goal was to form a hang Parliament in which all powers would be enjoyed by the President-Cum-Army Chief of Pakistan. The fear of Gen. Musharraf from the leadership of two major political parties, PML (N) and PPP, forced him to prolong their exile through the constitutional amendments. The ultimate purpose of the barring Nawaz Sharif and Benazir Bhutto, from the election, was to hammer their parties in the electoral process.[72] These parties also never tried to dissociate their fortunes from the personalities of their leaders. This phenomenon did a great loss to these parties and indirectly benefited MMA.

The political vacuum produced due to the absence of two major leaders made a better space for the prominence of MMA. The candidates of MMA were not much affected by the condition of educational qualification imposed by Gen. Musharraf as they had religious degrees which were considered as equal to graduation since the times of Gen. Zia. MMA got another chance to cash the religious sentiments of the people when The Election Commission of Pakistan allotted the symbol of book to MMA which symbolically stands for the Quran. So, the opponents accused MMA for cashing the belief of the people with its symbol for political ends.[73]

Soon after the election results started coming in it was clear that Pakistan was going to have a hung Parliament. The party with the largest number of votes was the PPP, with 25.9 percent of the vote, followed closely by the PML (Q) with 25.6 percent. The MMA and the PML (N) won 11.5 and 11.3 percent of the vote, respectively. Nevertheless, seats won rather than votes won were what counted in Pakistan's first-past-the-post electoral system, and here the PML(Q) secured seventy-seven seats, the PPP sixty-two seats, the MMA forty-five seats, the PML(N) fourteen seats, and National Alliance thirteen seats. Other parties won 10.7 percent of the vote and twenty-eight seats, and independent candidates won 10.2 percent of the vote and thirty seats. These results pertain to the directly elected seats. Additional seats were filled by special constituencies by indirect voting.

The most widely commented on result of the 2002 elections in Pakistan was the success of the MMA, especially in the NWFP and Baluchistan. The only other time when religious parties have done well in elections was in 1970, when the collective votes of four religious parties contesting independently totaled 21.7 percent in West Pakistan. To put the MMA's 2002 vote in perspective it is worth noting that the 3.4 million votes (21.7 percent) won by the Islamic parties in 1970 exceeds the 3.3 million votes (11.5 percent) won by the MMA in 2002.

Nevertheless, the MMA's electoral success was a major development in Pakistani politics, especially in the light of the very poor performance of religious parties since the 1970 elections.

Because they rarely fared well in electoral politics, it was common for political commentators to conclude that this reflects their lack of popular support. Popularity, however, is difficult to determine from Pakistani election results. In Pakistan's first-past-the-post electoral system Islamic parties, like most other third parties, rarely performed well. Especially in the patronagebased political environment that exists in Pakistan, few voters are willing to "waste" their votes on candidates who are not expected to win. What was therefore interesting about the 2002 election result of the MMA was not just that it represented an increase in the popularity of Islamic parties, but that a third party had emerged that voters were willing to vote for.

As widely predicted before the election, the military succeeded in its overall objective of achieving a hung Parliament. What was not so clear in the aftermath of the election, however, was

whether the resulting weak and divided Parliament would be as plaint and easily manipulated as the military desired. The inability of any party to form a government became the cause for not summoning the inaugural session of the National Assembly. Apprehension was being expressed and rumors afoot that if the house remained indecisive for much longer time, this might inevitably lead to its dissolution.

At this critical juncture MMA hosted a conference of parliamentarians of PML (Q), MMA, PPPP and National Alliance on 29 October 2002 in Islamabad. The conference was presided over by Maulana Noorani. At the end of the conference, a six point formula was unanimously agreed by all the participants which called upon the 'government' to summon inter alia the National Assembly as parties were committed to avoid any political deadlock and were certain that the issue of Prime Minister-ship could be resolved within the Parliament.[74]

The six week post-poll confusion over who would form the next government was an indication that Gen. Musharraf's job of keeping the political parties in line would not be an easy one. Despite blatant military interference in the form of threats and incentives to get the newly elected legislators to support the PML (Q)'s candidate for Prime Minister, Mir Zafrullah Khan Jamali, it proved a formidable challenge to get a majority of 172 legislators on 21st November for the military's man in the 342 seat National Assembly. Maulana Fazlur Rehman, the MMA candidate for Prime Minister, won eighty-six votes and Shah Mahmood Qureshi, the PPP candidate, seventy.

Maulana Noorani concentrated over the restoration of the original Constitution. He also declared that military President was not acceptable. If Gen. Musharraf left military commands, MMA would help to make him constitutional head of the state. Meeting of the Supreme Council of the MMA was called on 17 December 2002 at Peshawar in which the above mentioned issues were discussed.

Addressing to 'meet-the-press' program at Hyderabad press club Maulana Noorani condemned the 'horse trading' done by the Jamali government to form its allies government in Sindh. He called this act of the central government unconstitutional and undemocratic. He declared that MMA wanted the present assemblies to complete their full tenure but according to him, it seemed that the present regime did not want this happen itself.

Highlighting the ongoing negotiations between MMA and PML (Q) Maulana Noorani mentioned the controversial provisions of the LFO which MMA wanted to be removed from the LFO. The provisions according to Maulana Noorani were:

i. Continuity of Gen. Pervez Musharraf as President and his simultaneously holding the office of the Chief of the Army Staff.
ii. The tilt of balance of power in favor of the President which authorized him to dissolve the National Assembly and the appointment of the Chiefs of the Army, Navy and Air Force or even the encroachment on provincial autonomy.
iii. The National Security Council.
iv. The restoration of the 1973 constitution in its original form (as it was on 12 October before the military coup.

Maulana Noorani was of the view that if Gen. Pervez Musharraf would shed his uniform till

March and contest the election as President, MMA would support him in present circumstances. However Maulana Noorani made it clear that any constitutional amendment could be made only following the procedure described in the 1973 constitution and no individual (referring to Gen.

Musharraf) even the Supreme Court had any right to amend the constitution according to one's wishes.[75]

On the one hand MMA engaged itself in negotiation with the government to resolve the issue of LFO and on the other it strongly protested on the LFO issue in the National Assembly along with other opposition parties by the raising slogans, "No LFO" and "Go-Musharraf-Go".[76]

On 12 March 2003 a 100 member senate consisting of 22 members from each province, FATA and Federal Capital Islamabad 8 and 4 members respectively was duly elected. PML (Q) and its allied parties got 58 senators and 9 strong opposition parties got 42 seats which were divided between MMA, PPPP, PML (N), and other regional parties.

Maulana Noorani was elected senator from Sindh on the ticket of MMA a party which held view that LFO was not a part of the constitution contrary to Gen. Musharraf and his other allied parties who thought LFO was a part of constitution.

The pattern of the opposition protest in National Assembly by raising slogans "No LFO" and

"Go-Musharraf-Go" was also repeated in the senate. "The four and a-half hour of slogan chanting and desk thumping were the largest protest in Pakistan's parliamentary history".[77]

To end the deadlock an 11 member joint government-opposition constitution committee was established this was chaired by Ch. Amir Hussain speaker of the National Assembly. The joint committee held 10 sessions over two weeks period but failed to reach a consensus on a constitutional package to be presented to Parliament for approval.[78] Formation of the committee was as under:[79]

Ch. Amir Hussain (Chairman) Member
from the government side

i. S. M. Zafar (Senator PML Quaid-e-Azam) ii. Dr. Sher

Afghan (MNA Pakistan People's Party) iii. Justice (R) A.

R. Thaheem (Senator PML Functional) iv. Riaz Hussain

Pirzada (MNA National Alliance)

v. Syed Safwanullah (Senator Mutahid Quami Movement)

Members from opposition side were:

i. Liaquat Baloch (MNA Mutahida Majlis-i-Aamla) ii. Hafiz

Hussain Ahmed (MNA Mutahida Majlis-i-Aamla) iii. Ch.

Aitizaz Ahsan (MNA Pakistan People's Party) iv. Sardar Latif

Ahmed Khosa (MNA Pakistan People's Party) v. Ch. Nisar

Ahmed (MNA Pakistan Muslim League)

After the failure of the joint government-opposition committee negotiation PML (Q) government started looking towards MMA for the resolution of LFO crisis. After the acceptance of MMA demands by PML (Q) president Ch. Shujaat Hussain, with respect to Islamization molding of the economy, education, and the media on an Islamic pattern, the introduction of Islamic subjects as part of the curricula, the removal of obscenity and vulgarity from the electronic media, the decision Friday should be a weekly holiday by the parliament, provincial autonomy and the right of minorities, both the parties started negotiation.

Though MMA gave its willingness to negotiate with the government on the LFO issue it kept its pressure on the government in collaboration with other opposition parties. When the Finance Minister Shukat Aziz presented the Federal Budget 2003-2004 before the National Assembly on 7 June 2003, the opposition raised slogans against LFO and protested by throwing away the budget papers. Similarly, after three days when the National Assembly met again, the opposition continued with the protest, raising slogans and slanging walkout.[80]

Subsequently, one Dr. Aslam Khaki moved a petition as probono public in Supreme Court against a large number of MMA members including Maulana Noorani, Maulana Fazul Rehman, Maulana Sami ul Haq, Hafiz Hussain Ahmed and Maulana Ghafoor Haidri alleging that they were ineligible to be members of parliament, as the *Sanad* (degree) *Shahadat- Alimiya- Fil- Uloom- ul-Arabia- wal-Islamia* on the basis of which they claim graduation was recognized by University Grant Commission as being equivalent to MA Islamiyat for teaching purposes only and for nothing else.[81]

MMA decided not to defend the case in the Supreme Court because it considered it a move of the government to persuade the religious parties' alliance to compromise on the LFO issue. The ruling of the speakers on LFO to be the part of constitution made opposition to move a noconfidence motion against the speaker. The no confidence motion against the speaker was fixed for 28 June but the opposition boycotted the National Assembly session on that day.

Talking to the news person at the Parliament House after the no confidence motion against the speaker had failed due to the walkout of the opposition, the Prime Minister requested the opposition for unconditional talks with the government on all issues including constitutional matters. Subsequently, Prime Minister summoned a meeting of the opposition leaders on 27th July for talks on the LFO. MMA decided to go ahead with the talks but the PPPP and PML (N) decided to stay away.

In the meeting at the Prime Minister House on 27th July, Prime Minister led the government side comprising Ch. Shujaat Hussain, Information Minister Sh. Rasheed Ahmed, Sardar Farooq

Leghari, Syed Shafa ullah, Munir Ahmed Auragnzai, Justice (R) Abdul Razzaq Taheem and Mohammad Ali Durrani. MMA delegation was led by Maulana Noorani consisting of the heads of its component parties. Though the talks remained inclusive however it was decided to form a committee of four MMA members Hafiz Hussain Ahmed, Liaqat Baloch and Pakistan Muslim League was represented by Ch. Shujat Hussain and S.M. Zafar.[82]

The committee had several meetings starting from 24th August but due to Gen. Musharraf's reluctance to shed his uniform it remained unsuccessful initially.[83] While commenting on the legality of the LFO Maulana Noorani on the floor of the Senate said that the 1973 Constitution is the sign of unity of the nation. He was of the view to amend the constitution the President did not follow the method (described in the Constitution) and LFO was inserted in the Constitution. He said that LFO was an illegal order which had no moral, legal and constitutional status.[84]

Earlier on in the reaction to the US attack on Iraq in March 2003, the MMA organized a 'million-man-march' all over the country. MMA carried out marches in Karachi (1March), Rawalpindi (9 March), Lahore (23 March), Peshawar (30 March), Quetta (2 April) and Multan (4 April). The MMA also declared countrywide protest day against the US invasion on Iraq on 28th March. The importance of these marches was amplified by the overwhelming participation of activists of non-religious parties, women and numerous organizations. More than 2,00,000 (estimated) people flooded over the streets in Lahore March. The entire country was painted in anti-US colors which made Gen. Musharraf very nervous.[85]

While speaking to a resolution moved in Senate against the American attack in Iraq, Maulana Noorani said that Bush had started crusade and declared that the war against Iraq was in fact an American war for the creation of 'Greater Israel'. He further called Islam as the religion for peace and tranquility and demanded American government to stop the war against Iraq.[86]

The deadlock on LFO continued on 12 October 2003 after completing one year by the civilian government. The proceedings of the Parliament were dominated by the protests and walkouts of the opposition over the LFO. The President did not address the Parliament as was required by sub-clause 3 of Article 56 of the Constitution. Due to the reluctance of Gen. Musharraf to leave the office of COAS the dialog between the government and MMA did not finalized.

Maulana Noorani who wanted to see the supremacy of the Constitution of Pakistan and the Parliament passed away on 11 December 2003 in the midst of Constitutional uncertainty prevailing in the country.[87]

NOTES

Chapter 8

[1] See Rizvi, "Pakistan in 1999," 210.

[2] For detail of military coup and its background see Ibid., 210-213. Also see Owen Bennett Jones, *Pakistan: Eye of the Storm* (Lahore: Vanguard, 2002), 34-55.

[3] Khan, *Constitutional History*, 480

[4] Ibid.

[5] *Al Hamid*, April, May, June 2000, 7,6.

[6] *Nida-i- Ahl-i-Sunnat*, April 2002, 26-27.

[7] JUP (Noorani) representation in Majlis-i-Shura was Gen. K.M. Azhar, Syed Shabbir Ahmed Hashmi and Qari Zawar Bahadur. Later on Gen. K.M. Azhar's membership was cancelled. Ibid., 27.

[8] His appointment was made after the removal of Pir Afzal Qadri from the office of Nazim-i-Ala. Ibid.

[9] Ibid., 28.

[10] Ibid.*; Nida-i- Ahl-i-Sunnat*, June 2000, 29-30.

[11] Ibid., 28. *Al-Saeed*, June2000,37-38.

[12] *Al-Saeed*, June2000,39.

[13] *Nida-i- Ahl-i-Sunnat*, April 2000, 28-29.

[14] *Al-Saeed*, June2000, 43-47.

[15] *Al-Hamid*, April, May, June 2000, 6. Later on the confrontation between JUP and JASP resulted in formation of a separate parallel group of JASP named as Markazi Jamat Ahl-i-Sunnat Pakistan. *Nida-i-Ahl-i-Sunnat*, January,February 2002,37.

[16] Interview Muhammad Khan Laghari.

[17] *Nida-i- Ahl-i-Sunnat*, November-December 2000, 12-13.

[18] The meeting made a change in the party constitution to create this new position. Ibid., 14.

[19] For the detailed proceedings of the meetings see Ibid., 14,15,46. After the death of Maulana Niazi on 2 May 2001, Syed Muhammad Amir Galini was elected as acting President of JUP.

[20] For Gen. Musharraf's picture with his dogs Dot and Buddy see Jones, *Eye of the Storm*, vi.

[21] Vali Nasr, "Military Rule, Islamism and democracy in Pakistan," *Middle East Journal* 58, no. 2 (Spring, 2004): 201; Ifitkhar H. Malik, "PAKISTAN IN 2000: Starting Anew or Stalemate?" *Asian Survey* 41, no. 1 (Jan.–Feb., 2001): 113.

[22] Interview Maulana Noor Mohammad.

[23] Maulana Bashir Alqadri Noorani, *Imam Shah Ahmed Noorani: AiK Tarif Aik Jaiza* (Karachi: Adra Tahikiqat-iImam Shah Ahmed Noorani Saddique, n.d.), 144.

[24] Craig Baxter, ed., *Pakistan on the Brink* (Karachi: Oxford University Press, 2004), 59.

[25] Christopher Jaffrelot, ed., *A history of Pakistan and its origins,* Trans. Gillian Beaumont (London: Anthem Press), 2008, 262.

[26] For detail of his address see *Maulana Shah Ahmed Noorani: Taqrir, Qanun-i-Tahafuz-i-Namus-i-Resalat* (Karachi: Halqa-i-Qadriya, 2000), 1-16.

[27] *Nida-i-Ahl-i-Sunnat*, June 2000, 9.

[28] Ibid.

[29] Ibid.,10.

[30] Ibid., 21.

[31] For detail of the conference see Ibid., 9-12.

[32] Ibid., 22-23.

[33] Ibid., 25-26.

[34] Ibid. 27, 35.

[35] For detail of his tour see Ibid., 55-56.

[36] For detail of these meetings see Ibid., 61-63.

[37] Ibid., 63.

[38] Jaffrelot, *Pakistan*, 262.

[39] For his foreign tours to different countries of Africa, Europe and South America see *Nida-i-Ahl-i-Sunnat*, August 2000, 23-40.

[40] For detail of Maulana Noorani tours see *Nida-i-Ahl-i-Sunnat*, November 2000, 30-46.

[41] Ibid., 47. For Maulana Noorani and other religious leaders' statements on the role of NGOs see Taimur-ul-Hassan and Munawar Sabir, "The Portrayal of NGOs in National Press," *Pakistan Vision* 12, no. 2 (2000): 218-231.

[42] Baxter, "*Pakistan on the Brink*, 61-2.

[43] Ibid.

[44] Ibid.

[45]Rajshree Jetly, ed., *Pakistan in Regional and Global Politics* (New Delhi: Routledge, 2009), 23.

[46] Perviz Musharraf, *In the Line of Fire: A Memoir* (London: Simon and Schuster, 2001), 201.

[47] Ibid.,205.

[48] Waseem, *Democratization*, 223. For religious education and reform in the Idian Sub-Continent see Muhammad Qasim Zaman, "Religious Education and the Rhetoric of Reform: The Madrasa in British India and Pakistan," *Comparative Study in Society and History* 41, no. 2, (Apr., 1999) : 294-323.

[49] Jaffrelot, *Pakistan*, 263.

[50] Masuda Bano, "BEYOND POLITCS: THE REALITY OFA DEOBANDI MADRASA IN PAKISTAN," *Journal of Islamic studies* 18, no.1 (2007): 43-44; For the historic review of Madris see Syed Mohammad Ali Shah, "Pakistan and the war against terrorism," *Pakistan Horizon* 60, no. 2 (April 2007): 90-94.

[51] Baxter, "Pakistan on the Brink," 80.

[52] *Nida-i-Ahl-i-Sunnat*, March 2002, 11.

[53] Convention was held on February 3, 2002 at Mansura the head quarter of Jamaat-i-Islami.

[54] *Nida-i-Ahl-i-Sunnat*, February 2002, 42.

[55] *Jang* (*Rawalpindi*), 3 March 2002.

[56] Nazish Barohi, *The MMA Offensive: Three years in Power 2003-5*(Islamabad: Action Aid, 2006),36.

[57] For Political Profile of the Constituent parties of MMA see Ibid; 140-7.

[58] Ibid., 273-75.

[59] Jeffrolet, *Pakistan*, 271.

[60] *Nida-i-Ahl-i-Sunnat*, May 2002, 8.

[61] Cited in Baxter, "*Pakistan on the Brink,"*106.

[62] Ibid.

[63] Ibid., 70-1.

[64] *Kamran Aziz Khan, "2002 El*ections in Pakistan: A Reappraisal," *Journal of Political Studies* 18, no. 1(2003): 97.

[65] *Dawn (Karachi),* 22 August 2002.

[66] Ibid.

[67]Zafar Afaq Ansari and Abdul Rashid Moten, "From crisis to crisis: Musharraf's personal rule and the 2002 Elections in Pakistan," *The Muslim World* 93 (Jul.-Oct., 2003): 376.

[68] *Ashutosh* Mishra, “Rise of Religious Parties in Pakistan: Causes and Prospects,” *Strategic Analysis* 27, no. 2 (AprJun 2003): 210-211.

[69] *Nida-i-Ahl-i-Sunnat,* June 2002, 24.

[70] *Nida-i-Ahl-i-Sunnat*, suppl. 15 -30 May 2002, 1,8.

[71]Muhammad Waseem, *Democratization in Pakistan: A study of 2002 Elections* (Karachi: Oxford University Press, 2006), 210.

[72] Ibid. 211.

[73] Election Observer Group Reports, *Pakistan National and Provincial Assembly Election 10th October 2002* (London: Common Wealth Secretariat, 2006), 45. Also see International Crisis Group, *Pakistan: Mullah and the Military* (International Crisis Group: Islamabad/ Brussels, 20 March 2003), 15-17.

[74] S. M. Zafar, *Dialogue on the political chess Board*. (Islamabad: A. M. Shakoori, n.d.), 204.

[75] *Nida-i-Ahl-i-Sunnat*, December 2002- January 2003, 11.

[76] Zafar, *Dialogue*, Chapter 7, 8.

[77] Ian Talbot, “Pakistan in 2003: Political dead lock and continuing uncertainties,” *Asian Survey* 44 no. 1 (Jan.-Feb., 2004): 38.

[78] Ibid., For detail proceeding of the committee see Zafar, *Dialogue*, chapter 11.

[79] Ibid., 73-74.

[80] Ibid.,121.

[81] Ibid.,123.

[82] Ibid., 131.

[83] For details of these talks from 24 August to 25 November see Zafar, *Dialogue*, 132-59.

[84] Senate of Pakistan (SOP) Debates, Vol. II, no. 1 (27 March, 2003), 8,9.

[85] Mishra, “Religious Parties in Pakistan,” 186-215.

[86] SOP Debates, Vol. II, No. 1 (28 March, 2003), 28-8.

[87] Almost all the leading newspapers and magazines gave front page coverage to the sudden death of Maulana Noorani. See 12 December, 2003, *Daily Awsaf (Islamabad); Daily Al-Akhbar (Islamabad); Daily Pakistan (Islamabad); Daily Nawa-i- Waqat (Islamabad); Daily Jang (Rawalpindi); Daily Assas (Rawalpindi); Daily Khabrain (Islamabad); Daily Din (Rawalpindi); Daily Express (Islamabad); Daily Sahafat (Islamabad); Daily Islam (Rawalpindi); Daily Kianat (Islamabad); Daily Mashriq (Islamabad); Daily Jinnah (Islamabad); Daily Ummat (Karachi); Daily Janbaz (Karachi); Daily Jura'at (Karachi); Daily Morning Special (Karachi); Daily Difa (Karachi); Daily Insaf Times (Karachi); Daily Naya Akhbar (Karachi); Daily Hurriyat (Karachi); Daily Karachi City (Karachi); Daily The Nation (Islamabad); Daily Dawn (Islamabad*); *Daily Times (Lahore); Daily Statesman (Peshawar); Daily The Frontier Post (Peshwar,Quetta); Daily The News (Islamabad); Daily Pakistan Observer (Islamabad).*

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Appendix A

22 Points by the Ulama

In January 1951 the following twenty-two points were given by the 31 notable Ulama representing different schools of thought for the future constitution of Pakistan.

1. The sovereignty of Allah should be recognized.
2. All the laws of the country should be based on the Quran and Sunnah and no law should be repugnant to the recognized principles of Quran and Sunnah.
3. The foundation of the state should be laid on Islamic principles of the unity of the Muslims and not on any geographical, racial or linguistic considerations.
4. The state should promote "Maruf" and prevent "Munkar" and should mould the education system according to the accepted principles of Islam.
5. The foreign policy of the state should be based on the principle of the unity of the Muslim Ummah.
6. The state should provide the basic needs of its people such as food, clothing, housing, medical aid and education. Those who may be unable to earn their livelihood should also be provided with their basic needs of life.
7. The citizens would have all those rights, which the Islamic law has bestowed upon them. It should include protection of their life, property and honor, guarantee of freedom of speech, movement and association, and provision of equal opportunities for earning their livelihood.
8. No one would be deprived of the above rights, without giving him an opportunity to defend himself in a court of law.

9. The recognized sects of Islam should have the right to propagate their beliefs and to educate their followers. According in matters of personal law, its own “Fiqah” would govern each sect.
10. Non-Muslim should have cultural freedom and freedom of worship, within the limits of law. They should be free to adopt their own system of education and they would be free in matters of personal law, they should be governed by their own religion or traditions.
11. The head of the state should always be a Muslim male, in whose piety, judgment and learning the people or their representatives should have full confidence.
12. The state would honor all the commitments made to the non-Muslims under the Shariah and it would give them equal rights of citizenship, with the Muslims.
13. The head of the state would be responsible for running the administration; however, he may delegate some of his powers to any individual or a body.
14. The head of the state should perform his duties, not in a despotic manner but by consultation with his colleagues and elected representatives of the people.
15. The head of the state would have not the right to fully or partially suspend the constitution. He would not enjoy the right to govern without Shura.
16. The body responsible for electing the head of the state should be empowered to remove him by a majority vote.
17. The head of the state should have the same rights as enjoyed by an ordinary citizen; he should not be above law.
18. All the citizens including members of the ruling party, government servants and ordinary people should be equal before law and should appear before the same courts.
19. The judiciary would be separated from the executive so that it may perform its duties without any interference from the executive.
20. The propagation of such ideas should not be allowed which are against the fundamental principles of the Islamic state.

21. Different regions of the country should only be administrative units. They should not be carved out on racial, linguistic or tribal basis. Under the overall supervision of the centre these units might be delegated certain responsibilities essential for administrative purpose but they should not have the right to secede.
22. No such interpretation of the constitution should be acceptable which is repugnant to the Quran and Sunnah.

Source: Mujeeb Ahmad, *Barelwis and Their Religio-Political Parties in Pakistan: 1947-1971* (Islamabad: Quaid-i- Azam Universtiy, 2008)

Appendix B

The suggestion of Mufti Mahmood for the resolution of Brelvi – Deobandi differences

Monday, 11 July 1977, Murree

"…. Mufti Mahmud told me yesterday that I could perform a great service to Islam. When I asked him how I could do this, he said that I had very good relations with Moulana Shah Ahmed Noorani and I could help to remove the differences between the Brelvi and Deobandi schools of thought that have divided the Muslims of Pakistan. I told him that I did not know what these differences were and did not feel qualified to undertake this task. He said that the only difference is that the Brelvi believe that the Prophet (PBUH) was 'Noor' (a spirit) whilst the Deobandi maintain that he was human. He said that he would suggest that I should sit down with both of them and listen to their arguments and then give a decision. They both should agree to abide by my judgment, whatever it is. He said that so far as he was concerned, he would agree with my decision and since Moulana Noorani held me in high esteem, he should also do the same. He suggested that I should speak to Moulana Noorani about this and assured me that the Deobandi school of thought would agree to any ruling given by me. He felt that because of the position that Moulana Noorani held amongst his followers, the Brelvi accept Moulana Noorani's decision and the difference between these two schools of thought would end. This, he said, would be a great service to Islam. I promised to discuss this suggestion with Moulana Noorani. On our daily stroll I told Moulana Noorani of my talk with Mufti Mahmud and about his suggestion. Moulana Noorani was very interested in what Mufti Mahmud had said, but felt that the matter was not that simple. He asked me to wait until our evening tea the next day.

When we all got together at tea and Mufti Mahmud, Nawabzada Nasrullah Khan, Prof.

Ghafoor Ahmed and Moulana Shah Ahmed Noorani were present, Moulana Noorani asked Nawabzada Nasrullah Khan what sort of a person Ghandi was. Nasrullah Khan said, 'Do you mean Gandhiji"?' 'You are calling him Gandhiji? He was a rogue,' said Noorani. This upset Nawabzada Nasrullah Khan who said, 'you may not agree with the political views that he held, but on one can deny that he was a great man and deserves everyone's respect.' Moulana Noorani reacted with further derogatory remarks about Mahatma Gandhi which upset Prof. Ghafoor

Ahmed and Mufti Mahmud, who also joined in the brawl in support of Nawabzada Nasrullah Khan.

The tea over, when Moulana Noorani and I were alone, he asked me, whether I had noticed the reaction of Nazwabzada Nasrullah Khan, Prof, Ghafoor Ahmed and Mufti Mahmood about a simple question about Gandhi. The differences between us, he said, are far deeper than Mufti

Mahmud would have us believe and cannot be resolved in the manner that he has suggested."

Source:M.Asghar Khan, *My Political Struggle* (Karachi:Oxford University Press,2008),109-110.